

BOARD FOR CONTRACTORS BOARD MEETING

MINUTES

The Board for Contractors met on Tuesday, September 26, 2006 at the Department of Professional and Occupational Regulation (DPOR), 3600 West Broad Street, Richmond, Virginia. The members indicated below were present. Each of the other members present was qualified to vote, except where a specific reason for disqualification is stated. There are 13 members on this board, in which seven constitutes a quorum pursuant to §54.1-1102.

Mark D Kinser, Chair
Anthony Orange, Co Chair
Jack Miller
Jeffrey Modisett
Troy Smith
Robert M Kirby
Mark Cronin
Deborah Lynn Tomlin
Wyatt Walton
Dorothy Wood

Mr. Hart, Ms. Rackas Pate and Mr. Redifer did not attend the meeting.

Staff members present for all or part of the meeting were:

Jay W. DeBoer, Director
Eric L. Olson, Executive Director
Kevin Hoeft, Regulatory Boards Administrator
Nick Christner, Deputy Director, CID
Sheila Watkins, Administrative Assistant
Jeffrey Buckley, Legal Assistant
Joe Haughwout, Legal Assistant
Karen Kenney, Administrative Assistant
Illona LaPaglia, Legal Analyst
Earlyne Perkins, Legal Analyst
Doug Schroder, Director, Adjudication
Bonnie Rhea Adams, Director, CAR
Jennifer Kazzie, Asst. Director, Adjudication

Chairman Mark Kinser called the meeting to order at 9:12 a.m. and declared a
of board members was in attendance.

Call
To Order

A motion was made by **Ms. Wood** and seconded by **Mr. Smith** to approve
the agenda as written. The motion passed unanimously. Members voting
“Yes” were: **Kinser, Kirby, Cronin, Tomlin, Miller, Modisett, Smith,**
Orange, Walton and Wood. Redifer, Rackas Pate and Hart were absent.

Approval of
the Agenda

Mr. Walton moved to approve the following minutes as submitted from the:

Approval of
Minutes

August 22nd, 2006, Board for Contractor Meeting
July 27, 2006, Informal Fact Finding Conference.
August 1, 2006, Informal Fact Finding Conference.
August 3, 2006, Informal Fact Finding Conference.
August 8, 2006, Informal Fact Finding Conference.
August 10, 2006, Informal Fact Finding Conference
August 15, 2006, Informal Fact Finding Conference
August 17, 2006, Informal Fact Finding Conference
August 22, 2006, Informal Fact Finding Conference
August 23, 2006, Informal Fact Finding Conference
August 24, 2006, Informal Fact Finding Conference
September 6, 2006 Informal Fact Finding Conference

Ms. Wood seconded the motion and it was unanimously approved by
members: Members voting “Yes” were: **Kinser, Kirby, Cronin, Tomlin,**
Miller, Modisett, Smith, Orange, Walton and Wood. Redifer, Rackas
Pate and Hart were absent.

There was no public comment.

Public
Comment
Period

In the matter of License Application File Number 2006-05403, Allen
Sherwood Comer t/a Woody’s Concrete, the Board members reviewed the
record, which consisted of the application file, transcript, exhibits, and
Summary of the Informal Fact-Finding Conference.

File Number
2006-05403
Allen
Sherwood
Comer t/a
Woody’s
Concrete

Allen Sherwood appeared on behalf of **Woody’s Concrete** at the IFF. He
did not attend the Board meeting. The presiding Board representative **Ms.**
Chappell was not present, did not participate in the discussion and did not
vote. After discussion, a motion was made by **Mr. Orange** to adopt the
recommendation and grant the license. The motion failed due to lack of
a second. After discussion, a motion was made by **Mr. Kirby** and seconded
by **Ms. Wood** to reject the recommendation contained in the Summary of the

Informal Fact-Finding Conference and deny the license. The Board considered its Regulations 18 VAC 50-22-40E and other applicable law: §54.1-204 and 54.1-1108 2 of the Code of Virginia. The Board denies the application based upon the record of, including the information obtained from the Central Criminal Records Exchange, and in consideration of the criteria outlined in §54.1-204 B. The Board is of the opinion after reviewing the facts and the nature of the crimes, that in consideration of 54.1-204 B 1, that due to the seriousness of the crimes committed by the applicant are serious enough to warrant denial of the license.

The motion was approved by majority vote. Members voting "Yes" were: **Kinser, Kirby, Cronin, Tomlin, Miller, Modisett, Smith, Walton and Wood.** **Redifer, Rackas Pate and Hart** were absent. **Mr. Orange** voted "no".

In the matter of License Application File Number 2006-05402, Michael Durst t/a Durst Home Improvement, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2006-05402
Michael
Durst t/a
Durst Home
Improve-
ment

Michael Durst appeared at the IFF. He did not attend the Board meeting. The presiding Board representative **Ms. Chappell** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Walton** and seconded by **Ms. Tomlin** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion passed by majority vote. Members voting "Yes" were: **Kinser, Kirby, Cronin, Tomlin, Miller, Modisett, Smith, Orange, Walton and Wood.** **Redifer, Rackas Pate and Hart** were absent.

In the matter of License Application File Number 2006-05308, Chad E Morris, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2006-05308
Chad E
Morris

Chad E Morris appeared at the IFF and at the Board meeting. He addressed the Board and shared his agreement with the recommendation. The presiding Board representative **Ms. Chappell** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mrs. Wood** and seconded by **Mr. Kirby** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the

license.

The motion was approved by majority vote. Members voting "Yes" were: **Kinser, Kirby, Cronin, Tomlin, Miller, Modisett, Smith, Orange, Walton and Wood. Redifer, Rackas Pate and Hart were absent.**

In the matter of License Application File Number 2006-05307, Bryan Anderson, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2006-05307
Bryan
Anderson**

Bryan Anderson appeared at the IFF and at the Board meeting. He addressed the Board and shared his agreement with the recommendation. The presiding Board representative **Ms. Chappell** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Orange** and seconded by **Mr. Kirby** to reject the recommendation and deny the license. The motion failed by a vote of seven "no" and four "yes". Members voting "yes" were: **Orange, Kirby, Wood and Smith.** Members voting "no" were: **Tomlin, Modisett, Kinser, Walton Cronin and Miller.**

After discussion a motion was made by **Mr. Walton** and seconded by **Ms. Tomlin** to approve the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by majority vote. Members voting "Yes" were: **Kinser, Cronin, Tomlin, Modisett, Smith, Walton and Wood. Redifer, Rackas Pate and Hart were absent. Kirby, Orange and Miller voted "no".**

In the matter of License Application File Number 2006-05306, Kelly Kirby, Sr. t/a Kirby's Painting & Home Improvement the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2006-05306
Kelly Kirby,
Sr. t/a
Kirby's
Painting &
Home
Improvemen
t**

Kelly Kirby, Sr. appeared at the IFF and the Board meeting. The presiding Board representative **Ms. Chappell** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Smith** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the license.

The motion passed by majority vote. Members voting "Yes" were: Kinser, Tomlin, Miller, Smith, Orange, Walton and Wood. Redifer, Rackas Pate and Hart were absent. Members voting "no" were: Kirby, Cronin and Modisett.

In the matter of Disciplinary File Number 2006-05309, Chad Everett Morris (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. Chad Everett Morris (Respondent) appeared at the IFF. He did attend the Board meeting. He addressed the Board. As the Board Representative, Ms. Chappell was not present and did not vote. After discussion, a motion was made by Mr. Walton and seconded by Mr. Kirby to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that Morris violated the following sections of its Regulations:

File Number
2006-05309
Chad
Everett
Morris

(Effective January 1, 2003)
Count 1: 18 VAC 50-30-190 11
Count 2: 18 VAC 50-30-190 12

The motion was approved by a majority vote. Members voting "Yes" were: Kinser, Modisett, Kirby, Wood, Tomlin, Miller, Cronin, Smith, and Walton. Redifer, Hart and Rackas Pate were absent. Mr. Orange voted no.

After discussion a motion was made by Mr. Kirby and seconded by Mr. Modisett to impose the following monetary sanctions: \$200.00 penalty for violation of Count 2. Total monetary penalty if \$200.00. As to Count 2 the Board further imposes that Morris successfully complete the Board's Basic Contracting Licensing Class (remedial education) within six months or its license will be suspended. The Board further imposes no monetary penalty for the violation of the regulation for count 1.

The motion was approved unanimously. Members voting "Yes" were: Kinser, Kirby, Cronin, Tomlin, Miller, Modisett, Smith, Orange, Walton and Wood. Redifer, Rackas Pate and Hart were absent.

In the matter of License Application File Number 2006-05304, Marvin Kirk and Beverly Kirk t/a D & B General Services the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2006-05304
Marvin Kirk
and Beverly
Kirk t/a D &

Marvin Kirk appeared at the IFF and the Board meeting. The presiding Board representative **Ms. Chappell** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Orange** and seconded by **Ms. Wood** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

**B General
Services**

The motion was approved by a majority vote. Members voting "Yes" were: **Kinser, Cronin, Miller, Smith, Orange, and Wood. Redifer, Rackas Pate and Hart** were absent. **Kirby, Walton, Modisett and Tomlin** voted "no".

In the matter of License Application File Number, Preston Witt Electric LLC, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2006-05303
Preston Witt
Electric LLC**

Applicant Preston Witt appeared at the IFF and the Board meeting on behalf of Preston Witt Electric LLC. **Ms. Sarah Clarke** also attended the Board meeting with **Mr. Witt**. She read **Mr. Witt's** statement to the Board. The presiding Board representative **Ms. Chappell** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Orange** and seconded by **Ms. Wood** to approve the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny the license. The Board has considered its Regulations: 18 VAC 50-22-40 D and 18 VAC 50-22-40 C, and other applicable law: §§54.1-1110 and 54.1-1108 2, of the Code of Virginia. After review and discussion it was determined, **Mr. Witt** provided no information to demonstrate he learned from his past experience or that he will do anything differently if licensed again.

The motion was approved by unanimous vote. Members voting "Yes" were: **Kinser, Kirby, Cronin, Tomlin, Miller, Modisett, Smith, Orange, Walton and Wood. Redifer, Rackas Pate and Hart** were absent.

In the matter of License Application File Number 2006-05132, JC'S CONTRACTORS LLC, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2006-05132
JC'S
CONTRAC
TORS LLC**

JC'S CONTRACTORS LLC appeared at the IFF and **Mr. Juan Salquero** on behalf of **JC'S CONTRACTORS LLC** attended the Board meeting. The presiding Board representative **Ms. Chappell** was not present, did not participate in the discussion and did not vote. After discussion, a motion was

made by Ms. Wood and seconded by Mr. Smith to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by a majority vote. Members voting "Yes" were: Kinser, Tomlin, Miller, Cronin, Smith, Miller, Orange and Wood. Hart, Rackas Pate and Redifer were absent. Members voting no were: Kirby and Walton

In the matter of License Application File Number 2006-05130, Wesley L Peterson, III, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2006-05130
Wesley L.
Peterson, III

Applicant Wesley L Peterson, III appeared at the IFF but not the Board meeting. The presiding Board representative Ms. Chappell was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by Mr. Orange and seconded by Mr. Kirby to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by a unanimous vote. Members voting "Yes" were: Kinser, Tomlin, Miller, Kirby, Walton, Cronin, Smith, Miller, Orange and Wood. Hart, Rackas Pate and Redifer were absent.

In the matter of Disciplinary File Number 2006-05133, Juan C Salguero t/a JC's Contractors (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. Juan C Salguero t/a JC's Contractors (Respondent) appeared at the IFF. He attended the Board meeting. As the Board Representative, Ms. Chappell was not present and did not vote. After discussion, a motion was made by Ms. Wood and seconded by Mr. Kirby to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Juan C Salguero violated the following sections of its Regulations:

File Number
2006-05133
Juan C
Salguero t/a
JC's
Contractors

(Effective January 1, 2003)

Count 1: 18 VAC 50-22-260 B 2

Count 2: 18 VAC 50-22-260 B 22

(Effective August 1, 2005)

Count 3: 18 VAC 50-22-260 B 23

The motion was approved by a unanimous vote. Members voting "Yes" were: **Kinser, Tomlin, Miller, Cronin, Smith, Miller, Kirby, Walton, Orange and Wood.** **Hart, Rackas Pate and Redifer** were absent.

After discussion a motion was made by **Ms. Wood** and seconded by **Mr. Kirby** to impose the following monetary sanctions: \$500.00 penalty for violation of Count 1 and \$500.00 for violation of Count 3. Total monetary penalty if \$1,000.00. As to Count 3 the Board further imposes that **Juan C Salguero** successfully complete the Board's Basic Contracting Licensing Class (remedial education) within six months or its license will be suspended. The Board further imposes no monetary penalty for the violation of the regulation for count 2.

The motion was approved unanimously. Members voting "Yes" were: **Kinser, Tomlin, Miller, Cronin, Smith, Miller, Kirby, Walton, Orange and Wood.** **Hart, Rackas Pate and Redifer** were absent

In the matter of License Application File Number 2006-05129, Robert W. Royster and Sue L Royster, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2006-05129
Robert W.
Royster and
Sue L
Royster

Robert and Sue Royster appeared at the IFF and they attended the Board meeting. They addressed the Board and shared their agreement with the summary and recommendation. The presiding Board representative **Ms. Chappell** was not present, did not participate in the discussion and did not vote. **Ms. Perkins**, the Board's legal analyst shared with the Board that an error needed to be corrected in the Summary and recommendation. For item 5 the date should be March 12, 1986 and not March 12, 1996. After discussion, a motion was made by **Mr. Kirby** and seconded by **Ms. Wood** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by unanimous vote. Members voting "Yes" were: **Kinser, Tomlin, Miller, Cronin, Smith, Miller, Kirby, Walton, Orange and Wood.** **Hart, Rackas Pate and Redifer** were absent.

In the matter of License Application File Number 2006-05099, Benjamin Poppen and Jason Kaufman, t/a Miter Rite Contracting, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2006-05099
Benjamin
Poppen and
Jason
Kaufman,
t/a Miter

Applicants Poppen and Kaufman appeared at the IFF but not the Board meeting. The presiding Board representative **Ms. Chappell** was not present,

did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Orange** and seconded by **Mr. Smith** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

**Rite
Contracting**

The motion was approved by a unanimous vote. Members voting "Yes" were: **Kinser, Tomlin, Miller, Kirby, Walton, Cronin, Smith, Miller, Orange and Wood.** **Hart, Rackas Pate and Redifer** were absent.

In the matter of License Application File Number 2006-05091, **Finishing touch Home Improvement, Inc.**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2006-05091
Finishing
Touch Home
Improve-
ment, Inc.

Applicant Cathy Overstreet on behalf of Finishing Touch and Jerry Street witness appeared at the IFF. Ms. Overstreet attended the Board meeting. She addressed the board. The presiding Board representative **Ms. Chappell** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Kirby** and seconded by **Mr. Modisett** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by a unanimous vote. Members voting "Yes" were: **Kinser, Tomlin, Miller, Modisett, Kirby, Cronin, Smith, Miller, Orange and Wood.** **Hart, Rackas Pate and Redifer** were absent. **Mr. Walton** abstained from voting.

In the matter of License Application File Number 2006-05090, **Jason Grimes t/a J Grimes Construction**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2006-05090
Jason
Grimes t/a J
Grimes
Construction

Applicant Jason Grimes appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board representative **Ms. Chappell** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Kirby** and seconded by **Mr. Smith** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny the license.

The motion was approved by a majority vote. Members voting "Yes" were: **Kinser, Tomlin, Miller, Kirby, Cronin, Modisett, Smith, Miller, Orange and Wood.** **Hart, Rackas Pate and Redifer** were absent. **Mr. Walton** voted "no".

In the matter of License Application File Number 2006-05051, Orpheus Construction, LLC, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2006-05051
Orpheus
Construction
, LLC.**

Applicant Peter A Dingman, counsel for Orpheus Construction, LLC appeared at the IFF and the Board meeting. The presiding Board representative Ms. Chappell was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by Ms. Wood and seconded by Mr. Kirby to amend the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by a majority vote. Members voting "Yes" were: Kinser, Tomlin, Miller, Kirby, Walton, Modisett, Cronin, Smith, Miller and Wood. Hart, Rackas Pate and Redifer were absent. Mr. Orange voted "no".

In the matter of Disciplinary File Number 2006-05053, Portico Construction LLC, t/a Portico Construction LLC (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. Peter Dingman, Counsel for Portico Construction LLC (Respondent) appeared at the IFF. He attended the Board meeting. As the Board Representative, Ms. Chappell was not present and did not vote. After discussion, a motion was made by Ms. Wood and seconded by Mr. Kirby to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and amend the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Portico construction LLC violated the following sections of its Regulations:

**File Number
2006-05053
Portico
Construction
LLC, t/a
Portico
Construction
LLC**

**(Effective January 1, 2003)
Count 1: 18 VAC 50-22-260 B 2**

The motion was approved by a unanimous vote. Members voting "Yes" were: Kinser, Tomlin, Miller, Cronin, Modisett, Smith, Kirby, Walton, Orange and Wood. Hart, Rackas Pate and Redifer were absent.

After discussion a motion was made by Ms. Wood and seconded by Mr. Kirby to impose the following sanctions: license revocation for of Count 1. Total monetary penalty is \$500.00. As to Count 1 the Board further request that staff refrain from processing substantial identity against license 2705-088260.

The motion was approved by majority vote. Members voting "Yes" were: Kinser, Tomlin, Miller, Cronin, Smith, Modisett, Kirby, Walton and Wood. Hart, Rackas Pate and Redifer were absent. Mr. Orange voted "no".

In the matter of Disciplinary File Number 2006-050533, Portico Construction LLC, t/a Portico Construction LLC (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. Peter Dingman, Counsel for Portico Construction LLC and Mr. Dennehy (Respondent) appeared at the IFF. They attended the Board meeting. They addressed the Board. As the Board Representative, Ms. Chappell was not present and did not vote. After discussion, a motion was made by Mr. Kirby and seconded by Ms. Wood to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. Mr. Dennehy agreed that he would be responsible for paying the fines for Portico Construction LLC license number 2705-024034. The Board found Portico construction LLC violated the following sections of its Regulations:

File Number
2006-05052
Portico Inc,
t/a Portico
Inc

(Effective March 31, 1995)
Count 1: 18 VAC 50-22-260 B 18
Count 2: 18 VAC 50-22-260 B 19

The motion was approved by a unanimous vote. Members voting "Yes" were: Kinser, Tomlin, Miller, Cronin, Smith, Modisett, Kirby, Walton, Orange and Wood. Hart, Rackas Pate and Redifer were absent.

After discussion a motion was made by Ms. Wood and seconded by Mr. Kirby to impose the following sanctions: \$500.00 monetary penalty for the violation of Count 2. Total monetary penalty is \$500.00. As to Count 1 the Board voted to impose no monetary penalty, pursuant to §54.1-202, for the violation of the regulation against license 2705-024034.

The motion was approved by unanimous vote. Members voting "Yes" were: Kinser, Tomlin, Miller, Cronin, Smith, Modisett, Kirby, Orange, Walton and Wood. Hart, Rackas Pate and Redifer were absent.

In the matter of License Application File Number 2006-04597, Builders Solution, Inc, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2006-04597
Builders
Solutions,
Inc.

Applicant Builders Solutions, Inc was represented by **Jonathan Hill** at the IFF and the Board meeting. The presiding Board representative **Ms. Chappell** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Orange** and seconded by **Mr. Walton** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by a majority vote. Members voting "Yes" were: **Kinser, Miller, Walton, Cronin, Smith, Modisett, Orange and Tomlin.** **Hart, Rackas Pate and Redifer** were absent. **Kirby and Wood** voted "no".

In the matter of License Application File Number 2006-04347, **Jeff Martin, t/a Jeff Martin Construction**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2006-04347
Jeff Martin,
t/a Jeff
Martin
Construction

Jeff Martin, t/a Jeff Martin Construction appeared at the IFF but not the Board meeting. The presiding Board representative **Ms. Chappell** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Orange** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny the license.

The motion was approved by a unanimous vote. Members voting "Yes" were: **Kinser, Tomlin, Miller, Kirby, Walton, Cronin, Smith, Modisett, Orange and Wood.** **Hart, Rackas Pate and Redifer** were absent.

In the matter of License Application File Number 2007-00480, **David Perry Gaines, Sr., t/a Favor of God Builders**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2007-00480
David Perry
Gaines, Sr.,
t/a Favor of
God
Builders

David Perry Gaines, sr., t/a Favor of God Builders appeared at the IFF and the Board meeting. The presiding Board representative **Ms. Chappell** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Kirby** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by a unanimous vote. Members voting "Yes" were: **Kinser, Tomlin, Miller, Kirby, Walton, Cronin, Smith, Modisett, Orange and Wood.** **Hart, Rackas Pate and Redifer** were absent.

In the matter of License Application File Number 2007-00095, George Nelson White, t/a White's Infrared Technology, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

George Nelson White, t/a White's Infrared Technology appeared at the IFF and the Board meeting. He addressed the board and shared his agreement with the summary and recommendation. The presiding Board representative Ms. Chappell was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by Ms. Wood and seconded by Mr. Smith to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by a unanimous vote. Members voting "Yes" were: Kinser, Tomlin, Miller, Kirby, Walton, Cronin, Smith, Modisett, Orange and Wood. Hart, Rackas Pate and Redifer were absent.

In the matter of Recovery Fund File Number 2005-03388, Carolyn L. Smith (Claimant) vs. William & Terri Dunlap, t/a Dunlap General Contracting (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. William and Terri Dunlap, t/a Dunlap General Contracting (Regulant) appeared at the IFF but not the board meeting. Carolyn L. Smith (Claimant) did not appear at the IFF or the board meeting. After discussion, a motion was made by Mr. Kirby and seconded by Mr. Walton to adopt the claim review and the hearing officer's recommendations and summary for violations and denied the claim for payment. The motion passed unanimously. Members voting "Yes" were: Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood. Hart, Rackas Pate and Redifer were absent. As the Board Representative, Mr. Ward was not present and did not vote.

In the matter of Recovery Fund File Number 2004-03047, R. C. Whitfield (Claimant) vs. Mid Atlantic Building Corp., t/a Mid Atlantic Building Corp. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. Neither Mid Atlantic Building Corp. (Regulant) nor anyone on its behalf appeared at the IFF or the board meeting. R. C. Whitfield (Claimant), represented by Joseph E. Hicks, counsel, participated at the IFF via teleconference. Whitfield did not appear at the board meeting. After discussion, a motion was made by Ms. Wood and seconded by Mr. Walton to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$6,840.25. The motion passed unanimously.

**File Number
2007-00095
George
Nelson
White, t/a
White's
Infrared
Technology**

**File Number
2005-03388
Carolyn L.
Smith vs.
William &
Terri
Dunlap, t/a
Dunlap
General
Contracting**

**File Number
2004-03047
R. C.
Whitfield vs.
Mid Atlantic
Building
Corp., t/a
Mid Atlantic
Building
Corp.**

Members voting "Yes" were: Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood. Hart, Rackas Pate and Redifer were absent. As the Board Representative, Mr. Ward was not present and did not vote.

In the matter of Recovery Fund File Number 2005-02543, Melissa Acosta (Claimant) vs. Nery A. Salinas, t/a Nery's Company (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. Neither Nery A. Salinas (Regulant) nor anyone on his behalf appeared at the IFF or the board meeting. Melissa Acosta (Claimant) appeared at the IFF and the board meeting and shared her agreement with the summary and recommendation. After discussion, a motion was made by Ms. Wood and seconded by Mr. Smith to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$2,038.00. The motion passed unanimously. Members voting "Yes" were: Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood. Hart, Rackas Pate and Redifer were absent. As the Board Representative, Mr. Ward was not present and did not vote.

**File Number
2005-02543
Melissa
Acosta vs.
Nery A.
Salinas, t/a
Nery's
Company**

In the matter of Recovery Fund File Number 2006-01987, Christian & Patricia Koval (Claimant) vs. Mark Joseph King, t/a Laurel Mountain Builders (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. Neither Mark Joseph King (Regulant) nor anyone on his behalf appeared at the IFF or the board meeting. Christian Koval (Claimant) participated at the IFF via teleconference. Koval attended the board meeting and shared her agreement with the summary and recommendations. After discussion, a motion was made by Mr. Kirby and seconded by Ms. Wood to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$3,800.50. The motion passed unanimously. Members voting "Yes" were: Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood. Hart, Rackas Pate and Redifer were absent. As the Board Representative, Mr. Ward was not present and did not vote.

**File Number
2006-01987
Christian &
Patricia
Koval vs.
Mark Joseph
King, t/a
Laurel
Mountain**

In the matter of Recovery Fund File Number 2006-01982, Glenn and Connie Riggi (Claimant) vs. Monarch II Investment, Inc., t/a Monarch II Investment, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. Neither Monarch II Investment, Inc. (Regulant) nor

**File Number
2006-01982
Glenn and
Connie Riggi
vs. Monarch**

anyone on its behalf appeared at the IFF or the board meeting. Glenn and Connie Riggi (Claimants) appeared at the IFF. Glenn Riggi attended the board meeting and shared his agreement with the summary and recommendations. After discussion, a motion was made by Ms. Wood and seconded by Mr. Modisett to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$10,280.08. The motion passed unanimously. Members voting "Yes" were: Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood. Hart, Rackas Pate and Redifer were absent. As the Board Representative, Mr. Ward was not present and did not vote.

**II
Investment,
Inc., t/a
Monarch II
Investment,
Inc.**

In the matter of Recovery Fund File Number 2006-01980, Gloria Moncayo (Claimant) vs. UHS-United Home Services, Inc., t/a United Home Services (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. Neither UHS-United Home Services, Inc., t/a United Home Services (Regulant) nor anyone on its behalf appeared at the IFF or the board meeting. Gloria Moncayo (Claimants) participated at the IFF via teleconference. Gloria Moncayo attended the board meeting and shared her agreement with the summary and recommendations. After discussion, a motion was made by Ms. Wood and seconded by Ms. Tomlin to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$12,245.50. The motion passed unanimously. Members voting "Yes" were: Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood. Hart, Rackas Pate and Redifer were absent. As the Board Representative, Mr. Ward was not present and did not vote.

**File Number
2006-01980
Gloria
Moncayo vs.
UHS United
Home
Services,
Inc., t/a
United
Home
Services**

In the matter of Recovery Fund File Number 2006-01957, Steven W. Harris (Claimant) vs. Virginia E. VanDyke, t/a V & M Enterprises (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. Neither Virginia E. VanDyke, t/a V & M Enterprises (Regulant) nor anyone on her behalf appeared at the IFF or the board meeting. Steven W. Harris (Claimants) and Judith Harris (Witness) appeared at the IFF. Steven Harris attended the board meeting and shared his agreement with the summary and recommendations. After discussion, a motion was made by Ms. Wood and seconded by Mr. Kirby to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$20,000.00. The motion passed unanimously. Members voting "Yes" were: Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood. Hart, Rackas Pate and Redifer were absent. As the Board Representative, Mr.

**File Number
2006-01957
Steven W.
Harris vs.
Virginia E.
VanDyke, t/a
V & M
Enterprises**

Ward was not present and did not vote.

In the matter of Recovery Fund File Number 2006-01910, Dr. Dennis D. Gaskin (Claimant) vs. Billy L. Magnuson, t/a Mag.Net Construction & Properties (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. Neither Billy L. Magnuson, t/a Mag.Net Construction & Properties (Regulant) nor anyone on his behalf appeared at the IFF or the board meeting. Dr. Dennis D. Gaskin (Claimant) appeared at the IFF. Dr. Dennis Gaskins attended the board meeting and shared his agreement with the summary and recommendations. After discussion, a motion was made by Mr. Walton and seconded by Ms. Wood to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$7,038.00. The motion passed unanimously. Members voting "Yes" were: Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood. Hart, Rackas Pate and Redifer were absent. As the Board Representative, Mr. Ward was not present and did not vote.

**File Number
2006-01910
Dr. Dennis
D. Gaskin vs.
Billy L.
Magnuson,
t/a Mag.Net
Construction
& Properties**

In the matter of Recovery Fund File Number 2006-01895, Diane and Marte Baro(Claimant) vs. L V Gregory, Inc., t/a L V Gregory, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. Neither L V Gregory, Inc., t/a L V Gregory, Inc. (Regulant) nor anyone on his behalf appeared at the IFF or the board meeting. Diane and Marte Baro (Claimants) appeared at the IFF. The Baros attended the board meeting and shared their agreement with the summary and recommendations. After discussion, a motion was made by Ms. Wood and seconded by Mr. Walton to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$7,800.00. The motion passed unanimously. Members voting "Yes" were: Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood. Hart, Rackas Pate and Redifer were absent. As the Board Representative, Mr. Ward was not present and did not vote.

**File Number
2006-01895
Diane and
Marte Baro
vs. L V
Gregory,
Inc., t/a L V
Gregory,
Inc.**

In the matter of Recover Fund File Number 2006-01885, Lynn Nelson (Claimant) vs. George Tyner t/a Tyner Construction (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. Neither George Tyner, t/a Tyner Construction nor anyone on their behalf appeared at the IFF or the board meeting. Lynn Nelson did not attend the Board meeting. After discussion, a motion was made by Mr. Orange and seconded by Mr. Modisett to adopt the claim review and the hearing officer's recommendation

and summary of violations and approved the claim for payment in the amount of \$3,474.07. The motion passed unanimously. Members voting "Yes" were: Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood. Hart, Rackas Pate and Redifer were absent. As the Board Representative, Mr. Ward was not present and did not vote.

In the matter of Disciplinary File Number 2005-04661, Decorcraft Home Improvement & Design Services LLC (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. Neither Decorcraft Home Improvement & Design (Respondent) nor anyone on its behalf appeared at the IFF or the board meeting. As the Board Representative, Mr. Kinser was not present and did not vote. After discussion, a motion was made by Mr. Kirby and seconded by Ms. Tomlin to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Decorcraft Home Improvement & Design services LLC violated the following sections of its Regulations:

File Number
2005-04661
Decorcraft
Home
Improve-
ment &
Design
Services
LLC

(Effective January 1, 2003)

Count 1: 18 VAC 50-22-260 B 10

Count 2: 18 VAC 50-22-260 B 27

Count 3: 18 VAC 50-22-260 B 14

Count 4: 18 VAC 50-22-260 B 16

Count 5: 18 VAC 50-22-260 B 13

Count 6: 18 VAC 50-22-230 B

The motion was approved by a unanimous vote. Members voting "Yes" were: Tomlin, Miller, Kirby, Walton, Cronin, Smith, Modisett, Orange and Wood. Hart, Rackas Pate and Redifer were absent.

After discussion a motion was made by Mr. Kirby and seconded by Ms. Tomlin to impose the following sanctions: \$500.00 monetary penalty for the violation of Count 1; \$1,000.00 monetary penalty for the violation of Count 2; \$1,500.00 monetary penalty for the violation of Count 3; \$1,500.00 monetary penalty for the violation of Count 4; \$1,000.00 monetary penalty for the violation of Count 5; and \$500.00 monetary penalty for the violation of Count 6. Total monetary penalty is \$6,000.00. As to Counts 1, 2, 5 and 6, the Board voted to require a member of Responsible Management of Decorcraft Home Improvement & Design Services LLC to successfully complete the Board's Basic Contractor Licensing Class (remedial education). The Board also imposes revocation of license (Number 2705-091825) for the violation of Counts 3 and 4.

The motion was approved by a unanimous vote. Members voting "Yes"

were: Tomlin, Miller, Kirby, Walton, Cronin, Smith, Modisett, Orange and Wood. Hart, Rackas Pate and Redifer were absent.

In the matter of Disciplinary File Number 2006-01596, United American Inc., t/a United American Inc. (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. Neither United American Inc (Respondent) nor anyone on its behalf appeared at the IFF or the board meeting. As the Board Representative, Mr. Kinser was not present and did not vote. After discussion, a motion was made by Ms. Wood and seconded by Ms. Tomlin to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found United American Inc. violated the following sections of its Regulations:

File Number
2006-01596
United
American
Inc., t/a
United
American
Inc.

(Effective January 1, 2003)

Count 1: 18 VAC 50-22-260 B 9

Count 2: 18 VAC 50-22-260 B 16

(Effective September 1, 2001)

Count 3: 18 VAC 50-22-260 B 13

The motion was approved by a unanimous vote. Members voting "Yes" were: Tomlin, Miller, Kirby, Walton, Cronin, Smith, Modisett, Orange and Wood. Hart, Rackas Pate and Redifer were absent.

After discussion a motion was made by Ms. Wood and seconded by Mr. Walton to impose the following sanctions: \$450.00 monetary penalty for the violation of Count 1; \$2,500.00 monetary penalty for the violation of Count 2; and \$500.00 monetary penalty for the violation of Count 3. Total monetary penalty is \$3,450.00. As to Counts 1, and 3, the Board voted to require a member of Responsible Management of United American Inc. to successfully complete the Board's Basic Contractor Licensing Class (remedial education). The Board also imposes revocation of license (Number 2705-010515) for the violation of Counts 2.

The motion was approved by a unanimous vote. Members voting "Yes" were: Tomlin, Miller, Kirby, Walton, Cronin, Smith, Modisett, Orange and Wood. Hart, Rackas Pate and Redifer were absent.

In the matter of Disciplinary File Number 2006-00833, Decorcraft Home Improvement & Design Services LLC (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. Neither Decorcraft

File Number
2006-00833
Decorcraft
Home

Home Improvement & Design (Respondent) nor anyone on its behalf appeared at the IFF or the board meeting. As the Board Representative, Mr. Kinser was not present and did not vote. After discussion, a motion was made by Mr. Kirby and seconded by Ms. Wood to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Decorcraft Home Improvement & Design services LLC violated the following sections of its Regulations:

Improvement & Design Services LLC

(Effective January 1, 2003)

Count 1: 18 VAC 50-22-260 B 9

Count 2: 18 VAC 50-22-260 B 27

Count 3: 18 VAC 50-22-260 B 14

Count 4: 18 VAC 50-22-260 B 16

(Effective August 1, 2005)

Count 5: 18 VAC 50-22-260 B 13

The motion was approved by a unanimous vote. Members voting "Yes" were: Tomlin, Miller, Kirby, Walton, Cronin, Smith, Modisett, Orange and Wood. Hart, Rackas Pate and Redifer were absent.

After discussion a motion was made by Mr. Kirby and seconded by Ms. Wood to impose the following sanctions: \$500.00 monetary penalty for the violation of Count 1; \$1,000.00 monetary penalty for the violation of Count 2; \$1,500.00 monetary penalty for the violation of Count 3; \$1,500.00 monetary penalty for the violation of Count 4; and \$1,000.00 monetary penalty for the violation of Count 5. Total monetary penalty is \$5,500.00. As to Counts 1, 2, and 5, the Board voted to require a member of Responsible Management of Decorcraft Home Improvement & Design Services LLC to successfully complete the Board's Basic Contractor Licensing Class (remedial education). The Board also imposes revocation of license (Number 2705-091825) for the violation of Counts 3 and 4.

The motion was approved by a unanimous vote. Members voting "Yes" were: Tomlin, Miller, Kirby, Walton, Cronin, Smith, Modisett, Orange and Wood. Hart, Rackas Pate and Redifer were absent.

In the matter of Disciplinary File Number 2005-00695, Carpenter Remodeling and Construction, Inc. (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. Trent Carpenter, Respondent, attended the board meeting and he addressed his disagreement with the Board. Mr. Carpenter sent a handout which was distributed to Board members by Kevin Hoeft and Earlyne Perkins at the meeting.

**File Number
2005-00695
Carpenter
Remodeling
and
Construction
Inc.**

As the Board Representatives, **Ms. Wall and Mr. Kinser** were not present and did not vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Kirby** to remand this case back to investigations.

The motion was approved by a unanimous vote. Members voting "Yes" were: **Tomlin, Miller, Kirby, Walton, Cronin, Smith, Modisett, Orange and Wood.** **Hart, Rackas Pate and Redifer** were absent.

In the matter of **Disciplinary File Number 2005-00618, Twin Enterprises Inc, t/a Twin Enterprises Inc (Respondent)**; the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Travis Hackworth** representative of **Twin Enterprises, Inc** and **Daniel Bieger**, attorney for the Respondent appeared at the IFF but not the board meeting. **Kenneth and Renae Elkington (Complainants)** appeared at the IFF but not the board meeting. As the Board Representative, **Mr. Kinser** was not present and did not vote. After discussion, a motion was made by **Mr. Kirby** and seconded by **Ms. Wood** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Twin Enterprises Inc** violated the following sections of its Regulations.

File Number
2005-00618
Twin
Enterprises
Inc., t/a
Twin
Enterprises
Inc

(Effective January 1, 2003)

Count 1: 18 VAC 50-22-260 B 17

Count 2: 18 VAC 50-22-260 B 9

Count 3: 18 VAC 50-22-260 B 15

Count 4: 18 VAC 50-22-260 B 31

The motion was approved by a unanimous vote. Members voting "Yes" were: **Tomlin, Miller, Kirby, Walton, Cronin, Smith, Modisett, Orange and Wood.** **Hart, Rackas Pate and Redifer** were absent.

After discussion a motion was made by **Mr. Kirby** and seconded by **Ms. Wood** to impose the following sanctions: \$500.00 monetary penalty for the violation of Count 1; \$500.00 monetary penalty for the violation of Count 2, \$500.00 monetary penalty for the violation of Count 3; and \$1,500.00 monetary penalty for the violation of Count 4. Total monetary penalty is \$3,000.00. As to Counts 1, 2, 3 and 4, the Board voted to require a member of Responsible Management of **Twin Enterprises Inc.** to successfully complete the Board's Basic Contractor Licensing Class (remedial education). As to 18 VAC 50-22-260.B 5 (Count 5), the Board found no violation

The motion was approved by a unanimous vote. Members voting "Yes"

were: Tomlin, Miller, Kirby, Walton, Cronin, Smith, Modisett, Orange and Wood. Hart, Rackas Pate and Redifer were absent.

In the matter of Disciplinary File Number 2006-03582, Dewey Donald Nelson, t/a Dewey Donald Nelson (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. Dewey Donald Nelson (Respondent) and Barry Hodge (Respondent's Attorney) appeared at the IFF but not the board meeting. Elizabeth D. Graham (Complainant) and Melvin Branch (Witness) appeared at the IFF and the board meeting. They addressed the Board. As the Board Representatives, Ms. Wall and Mr. Kirby were not present and did not vote. After discussion, a motion was made by Ms. Wood and seconded by Ms. Tomlin to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Dewey Donald Nelson violated the following sections of its Regulations:

File Number
2006-03582
Dewey
Donald
Nelson, t/a
Dewey
Donald
Nelson

(Effective January 1, 2003)
Count 1: 18 VAC 50-22-260 B 9
Count 2: 18 VAC 50-22-260 B 17
Count 3: 18 VAC 50-22-260 B 31

The motion was approved by a unanimous vote. Members voting "Yes" were: Tomlin, Miller, Kinser, Walton, Cronin, Smith, Modisett, Orange and Wood. Hart, Rackas Pate and Redifer were absent.

After discussion a motion was made by Mr. Walton and seconded by Ms. Tomlin to impose the following sanctions: \$500.00 monetary penalty for the violation of Count 1; \$1,000.00 monetary penalty for the violation of Count 2; and \$400.00 monetary penalty for the violation of Count 3. Total monetary penalty is \$1,900.00. As to Counts 2 and 3, the Board voted to require Dewey Donald Nelson to successfully complete the Board's Basic Contractor Licensing Class (remedial education). As to 18 VAC 50-22-260 B 30 (Count 4), the Board found no violation. The Board voted to increase the monetary penalty for the violation of Count 1 due to previous Board action of imposing \$100.00 monetary penalty for each provision of the regulation.

The motion was approved by a unanimous vote. Members voting "Yes" were: Tomlin, Miller, Kinser, Walton, Cronin, Smith, Modisett, Orange and Wood. Hart, Rackas Pate and Redifer were absent.

In the matter of Disciplinary File Number 2006-00866, Robert James

File Number

Perry Sr., t/a Perry Electric (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Robert James Perry, Sr. (Respondent) and Theresa Perry (Witness)** appeared at the IFF but not the board meeting. As the Board Representatives, **Ms. Rackas Pate, Mr. Modisett, and Ms. Wall** were not present and did not vote. After discussion, a motion was made by **Mr. Walton** and seconded by **Mr. Kirby** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Robert James Perry, Sr.** violated the following sections of its Regulations:

(Effective January 1, 2003)

Count 1: 18 VAC 50-22-210 3

Count 2: 18 VAC 50-22-260 B 8

Count 3: 18 VAC 50-22-260 B 9

Count 4: 18 VAC 50-22-260 B 6

The motion was approved by a unanimous vote. Members voting "Yes" were: **Tomlin, Miller, Kirby, Walton, Cronin, Smith, Kinser, Orange and Wood.** **Hart, Rackas Pate and Redifer** were absent.

After discussion a motion was made by **Mr. Walton** and seconded by **Ms. Wood** to impose the following sanctions: \$200.00 monetary penalty for the violation of Count 1; \$250.00 monetary penalty for the violation of Count 2; \$600.00 monetary penalty for the violation of Count 3; and \$400.00 monetary penalty for the violation of Count 4. Total monetary penalty is \$1,450.00. As to Counts 1-4, the Board voted to require **Robert James Perry, Sr.** to successfully complete the Board's Basic Contractor Licensing Class (remedial education).

The motion was approved by a unanimous vote. Members voting "Yes" were: **Tomlin, Miller, Kirby, Walton, Cronin, Smith, Kinser, Orange and Wood.** **Hart, Rackas Pate and Redifer** were absent.

In the matter of Disciplinary File Number 2005-04930, DSI Multi Service Contractor, Inc. (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither DSI, Respondent, nor anyone on its behalf** appeared at the IFF or the board meeting. As the Board Representative, **Ms. Rackas Pate** was not present and did not vote. After discussion, a motion was made by **Mr. Orange** and seconded by **Ms. Wood** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found

2006-00866
Robert
James Perry
Sr., t/a Perry
Electric

File Number
2005-04930
DSI Multi
Service
Contractor,
Inc.

DSI Multi Service Contractor, Inc. violated the following sections of its Regulations:

(Effective January 1, 2003)

Count 1: 18 VAC 50-22-260 B 6

The motion was approved by a unanimous vote. Members voting "Yes" were: Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood. Hart, Rackas Pate and Redifer were absent.

After discussion a motion was made by Mr. Orange and seconded by Ms. Wood to impose the following sanctions: \$1,000.00 monetary penalty for the violation of Count 1. Total monetary penalty is \$1,000.00. As to Count 1, the Board voted to require a member of Responsible Management of DSI Multi Service Contractor, Inc. to successfully complete the Board's Basic Contractor Licensing Class (remedial education).

The motion was approved by a unanimous vote. Members voting "Yes" were: Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood. Hart, Rackas Pate and Redifer were absent.

In the matter of Disciplinary File Number 2005-04930, DSI Multi Service Contractor, Inc. (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. Neither DSI Multi Service Contractor, Inc., Respondent, nor anyone on its behalf appeared at the IFF or the board meeting. As the Board Representative, Ms. Rackas Pate was not present and did not vote. After discussion, a motion was made by Mr. Orange and seconded by Ms. Wood to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found DSI Multi Service Contractor, Inc. violated the following sections of its Regulations:

(Effective September 1, 2001)

Count 1: 18 VAC 50-22-230 A

Count 2: 18 VAC 50-22-260 B 8

Count 3: 18 VAC 50-22-260 B 9

Count 4: 18 VAC 50-22-260 B 14

Count 5: 18 VAC 50-22-260 B 13

The motion was approved by a unanimous vote. Members voting "Yes" were: Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood. Hart, Rackas Pate and Redifer were absent.

File Number
2006-04115
DSI Multi
Service
Contractor,
Inc.

After discussion a motion was made by **Mr. Orange** and seconded by **Ms. Tomlin** to impose the following sanctions: \$500.00 monetary penalty for the violation of Count 1; \$500.00 monetary penalty for the violation of Count 2; \$1,000.00 monetary penalty for the violation of Count 3; \$2,000.00 monetary penalty for the violation of Count 4; and \$1,500.00 monetary penalty for the violation of Count 5. Total monetary penalty is \$5,500.00. As to Counts 1, 2, and 3, the Board voted to require a member of Responsible Management of DSI Multi Service Contractor, Inc. to successfully complete the Board's Basic Contractor Licensing Class (remedial education). The Board also imposed revocation of license (Number 2705-087609) for the violation of Counts 4 and 5.

The motion was approved by a unanimous vote. Members voting "Yes" were: **Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood.** **Hart, Rackas Pate and Redifer** were absent.

In the matter of Disciplinary File Number 2006-01691, Jim Walter Homes, Inc. (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Jim Branson, on behalf of Jim Walter Homes, Inc., Respondent and John Gibney, Esq., Attorney for Respondent;** appeared at the IFF and the board meeting. Other members of Jim Walter Homes, Inc. Executive Staff from Florida were also present at the Board meeting but did not address the Board. **Mr. Gibney and Mr. Branson** addressed the Board. **Daniel and Susan Warren, Complainants,** appeared at the IFF but not the board meeting. The Warren's sent a handout which was distributed to Board Members by Kevin Hoeft and Earlyne Perkins at the meeting.

File Number
2006-01691
Jim Walter
Homes, Inc.

As the Board Representative, **Ms. Rackas Pate** was not present and did not vote. After review of the document and After discussion, a motion was made by **Mr. Orange** and seconded by **Ms. Wood** to recess for five minutes. The Board reconvened after the recess. After further discussion a motion was made by **Ms. Wood** and seconded by **Mr. Orange** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and amend the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Jim Walter Homes, Inc.** violated the following sections of its Regulations:

(Effective January 1, 2003)

Count 1: 18 VAC 50-22-260 B 31

Count 2: 18 VAC 50-22-260 B 29

Count 3: 18 VAC 50-22-260 B 5

The motion was approved by a unanimous vote. Members voting "Yes"

were: Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood. Hart, Rackas Pate and Redifer were absent.

After discussion a motion was made by Mr. Orange and seconded by Ms. Wood with an amendment offered by Mr. Kirby to impose the following sanctions: \$2,500.00 monetary penalty for the violation of Count 1; \$7,500.00 (3 violations at \$2,500.00 each) monetary penalty for the violation of Count 2 and removal of license revocation; and \$2,500.00 monetary penalty for the violation of Count 3 and removal of license revocation. Total monetary penalty is \$12,500.00. As to Count 1, the Board voted to require a member of Responsible Management of Jim Walter Homes Inc to successfully complete the Board's Basic Contractor Licensing Class (remedial education). As to 18 VAC 50-22-260 B 14 (Count 4), the Board closes this aspect of the file with a finding of no violation. The Board voted to increase the monetary penalty imposed for Count 2 due to the seriousness of the violation. Mr. Gibney, the attorney for Jim Walter Homes Inc. shared with the Board that Jim Walter Homes Inc. would not appeal the Board's decision.

The motion was approved by a unanimous vote. Members voting "Yes" were: Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood. Hart, Rackas Pate and Redifer were absent.

In the matter of Disciplinary File Number 2006-04015, Pinetree Construction LLC (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. Neither Pinetree Construction, LLC, Respondent, nor anyone on its behalf appeared at the IFF or the board meeting. As the Board Representative, Mr. Redifer was not present and did not vote. After discussion, a motion was made by Mr. Orange and seconded by Mr. Smith to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Pinetree Construction LLC, violated the following sections of its Regulations:

File Number
2006-04015
Pinetree
Construction
LLC

(Effective September 1, 2006)
Count 1: 18 VAC 50-22-260 B 9
Count 2: 18 VAC 50-22-260 B 15
Count 3: 18 VAC 50-22-260 B 16
Count 4: 18 VAC 50-22-260 B 13

The motion was approved by a unanimous vote. Members voting "Yes" were. Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood. Hart, Rackas Pate and Redifer were absent.

After discussion a motion was made by Mr. Smith and seconded by Mr. Walton to impose the following sanctions: \$350.00 monetary penalty for the violation of Count 1; \$1,500.00 monetary penalty for the violation of Count 2; \$2,500.00 monetary penalty for the violation of Count 3; and \$750.00 monetary penalty for the violation of Count 4. Total monetary penalty is \$5,100.00. As to Counts 1 and 4, the Board voted to require a member of Responsible Management of Pinetree Construction LLC to successfully complete the Board's Basic Contractor Licensing Class (remedial education). The Board also imposed revocation of license (Number 2705-096700) for the violation of Counts 2 and 3.

The motion was approved by a unanimous vote. Members voting "Yes" were: Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood. Hart, Rackas Pate and Redifer were absent.

In the matter of Disciplinary File Number 2006-02382, By Design Home Improvement, Inc., t/a Perfect Solution Contractor. (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. Neither By Design Home Improvement, Inc., Respondent, nor anyone on its behalf appeared at the IFF or the board meeting. As the Board Representative, Mr. Redifer was not present and did not vote. After discussion, a motion was made by Ms. Wood and seconded by Ms. Tomlin to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found By Design Home Improvement, Inc. violated the following sections of its Regulations:

File Number
2006-02382
By Design
Home
Improvemen
t Inc., t/a
Perfect
Solution
Contractor

(Effective September 1, 2001)
Count 1: 18 VAC 50-22-260 B 9
Count 2: 18 VAC 50-22-260 B 31
Count 3: 18 VAC 50-22-260 B 14
Count 4: 18 VAC 50-22-260 B 16
Count 5: 18 VAC 50-22-260 B 13
Count 6: 18 VAC 50-22-260 B 28

The motion was approved by a unanimous vote. Members voting "Yes" were: Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood. Hart, Rackas Pate and Redifer were absent.

After discussion a motion was made by Ms. Wood and seconded by Mr. Orange to impose the following sanctions: \$350.00 monetary penalty for the violation of Count 1; \$350.00 monetary penalty for the violation of Count 2; \$1,500.00 monetary penalty for the violation of Count 3; \$2,500.00 monetary penalty for the violation of Count 4; \$750.00 monetary penalty for the violation of Count 5; and \$1,500.00 monetary penalty for the violation of

Count 6. Total monetary penalty is \$6,950.00. As to Counts 1, 2, and 5, the Board voted to require a member of Responsible Management of By Design Home Improvement, Inc. to successfully complete the Board's Basic Contractor Licensing Class (remedial education). The Board also imposed revocation of license (Number 2705-086016) for the violation of Counts 3, 4 and 6.

The motion was approved by a unanimous vote. Members voting "Yes" were: Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood. Hart, Rackas Pate and Redifer were absent.

In the matter of Disciplinary File Number 2006-02382, By Design Home Improvement, Inc., t/a Perfect Solution Contractor. (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. Neither By Design Home Improvement, Inc., Respondent, nor anyone on its behalf appeared at the IFF or the board meeting. As the Board Representative, Mr. Redifer was not present and did not vote. After discussion, a motion was made by Mr. Walton and seconded by Mr. Smith to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found By Design Home Improvement, Inc. violated the following sections of its Regulations:

File Number
2006-02380
By Design
Home
Improvemen
t, Inc., t/a
Perfect
Solution
Contractor

(Effective January 1, 2003)

Count 1: 18 VAC 50-22-260 B 9

Count 2: 18 VAC 50-22-260 B 14

Count 3: 18 VAC 50-22-260 B 16

(Effective September 1, 2001)

Count 4: 18 VAC 50-22-260 B 28

Count 5: 18 VAC 50-22-260 B 13

The motion was approved by a unanimous vote. Members voting "Yes" were: Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood. Hart, Rackas Pate and Redifer were absent.

After discussion a motion was made by Mr. Walton and seconded by Ms. Wood to impose the following sanctions: \$350.00 monetary penalty for the violation of Count 1; \$1,000.00 monetary penalty for the violation of Count 2; \$2,500.00 monetary penalty for the violation of Count 3; \$1,500.00 monetary penalty for the violation of Count 4; and \$750.00 monetary penalty for the violation of Count 5. Total monetary penalty is \$6,100.00. As to Counts 1 and 5, the Board voted to require a member of Responsible Management of By Design Home Improvement, Inc. to successfully complete the Board's Basic Contractor Licensing Class (remedial education). The Board also

imposed revocation of license (Number 2705-086016) for the violation of Counts 2, 3 and 4.

The motion was approved by a unanimous vote. Members voting "Yes" were: **Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood.** **Hart, Rackas Pate and Redifer** were absent.

In the matter of Disciplinary File Number 2006-04015, Pinetree Construction LLC (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Pinetree Construction, LLC, Respondent,** nor anyone on its behalf appeared at the IFF or the board meeting. As the Board Representative, **Mr. Redifer** was not present and did not vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Smith** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Pinetree Construction LLC,** violated the following sections of its Regulations:

File Number
2006-02218
Pinetree
Construction
LLC

(Effective September 1, 2001)

Count 1: 18 VAC 50-22-260 B 28

The motion was approved by a unanimous vote. Members voting "Yes" were: **Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood.** **Hart, Rackas Pate and Redifer** were absent.

After discussion a motion was made by **Ms. Wood** and seconded by **Mr. Walton** to impose the following sanctions: \$1,500.00 monetary penalty for the violation of Count 1. Total monetary penalty is \$1,500.00. As to Count 1, the Board imposed revocation of license (Number 2705-096700) for the violation

The motion was approved by a unanimous vote. Members voting "Yes" were **Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood.** **Hart, Rackas Pate and Redifer** were absent.

In the matter of Disciplinary File Number 2006-00873, Paul Albert Vanwey t/a PAV Construction (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Mr. Vanwey** was absent but called to let the Board know he could not be present. As the Board Representative, **Mr. Smith** and **Ms. Wall** were not present and did not participate in the vote. After discussion a motion was made by **Mr. Kirby** and seconded by **Ms. Wood** to adopt the summary and recommendation with a finding of no violation. The

File Number
2006-00873
Paul Albert
Vanwey_t/a
PAV
Construction

case was closed. The motion was approved by a unanimous vote. Members voting "Yes" were: Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Modisett, Orange and Wood. Hart, Rackas Pate and Redifer were absent.

In the matter of Disciplinary File Number 2006-01071, Pinetree Construction LLC (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. Neither Pinetree Construction, LLC, Respondent, nor anyone on its behalf appeared at the IFF or the board meeting. As the Board Representative, Mr. Redifer was not present and did not vote. After discussion, a motion was made by Ms. Wood and seconded by Mr. Walton to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Pinetree Construction LLC, violated the following sections of its Regulations:

File Number
2006-01071
Pinetree
Construction
LLC

(Effective September 1, 2006)

Count 1: 18 VAC 50-22-260 B 9

Count 2: 18 VAC 50-22-260 B 31

Count 3: 18 VAC 50-22-260 B 15

Count 4: 18 VAC 50-22-260 B 16

Count 5: 18 VAC 50-22-260 B 13

The motion was approved by a unanimous vote. Members voting "Yes" were: Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood. Hart, Rackas Pate and Redifer were absent.

After discussion a motion was made by Ms. Wood and seconded by Mr. Smith to impose the following sanctions: \$350.00 monetary penalty for the violation of Count 1; \$350.00 monetary penalty for the violation of Count 2; \$1,500.00 monetary penalty for the violation of Count 3; \$1,500.00 monetary penalty for the violation of Count 4; and \$1,500.00 monetary penalty for the violation of Count 5. Total monetary penalty is \$5,200.00. As to Counts 1 and 2, the Board voted to require a member of Responsible Management of Pinetree Construction LLC to successfully complete the Board's Basic Contractor Licensing Class (remedial education). The Board also imposed revocation of license (Number 2705-096700) for the violation of Counts 3, 4 and 5.

The motion was approved by a unanimous vote. Members voting "Yes" were: Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood. Hart, Rackas Pate and Redifer were absent.

In the matter of Disciplinary File Number 2006-04015, Pinetree Construction LLC (Respondent); the board reviewed the record, which

consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Pinetree Construction, LLC, Respondent,** nor anyone on its behalf appeared at the IFF or the board meeting. As the Board Representative, **Mr. Redifer** was not present and did not vote. After discussion, a motion was made by **Mr. Orange** and seconded by **Mr. Smith** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Pinetree Construction LLC**, violated the following sections of its Regulations:

(Effective September 1, 2006)

Count 1: 18 VAC 50-22-260 B 9

Count 2: 18 VAC 50-22-260 B 15

Count 3: 18 VAC 50-22-260 B 16

Count 4: 18 VAC 50-22-260 B 13

The motion was approved by a unanimous vote. Members voting "Yes" were: **Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood.** **Hart, Rackas Pate and Redifer** were absent.

After discussion a motion was made by **Mr. Smith** and seconded by **Mr. Walton** to impose the following sanctions: \$350.00 monetary penalty for the violation of Count 1; \$1,500.00 monetary penalty for the violation of Count 2; \$2,500.00 monetary penalty for the violation of Count 3; and \$750.00 monetary penalty for the violation of Count 4. Total monetary penalty is \$5,100.00. As to Counts 1 and 4, the Board voted to require a member of Responsible Management of Pinetree Construction LLC to successfully complete the Board's Basic Contractor Licensing Class (remedial education). The Board also imposed revocation of license (Number 2705-096700) for the violation of Counts 2 and 3.

The motion was approved by a unanimous vote. Members voting "Yes" were: **Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood.** **Hart, Rackas Pate and Redifer** were absent.

In the matter of Disciplinary File Number 2006-03979, Sunset Construction and Fabrication, Inc. (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **William B. Runyon, Respondent, on behalf of Sunset Construction and Fabrication, Inc.** appeared at the IFF and the board meeting. **Mr. Runyon** disagreed with the Board. **Joy D. Gates, Complainant,** appeared at the IFF and the board meeting. **Ms. Gates** disagreed with the board. As the Board Representative,

File Number
2006-03979
Sunset
Construction
and
Fabrication,
Inc.

Ms. Tomlin was not present and did not vote. After discussion, a motion was made by **Mr. Kirby** and seconded by **Ms. Wood** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Sunset Construction and Fabrication, Inc.**, violated the following sections of its Regulations:

(Effective September 1, 2001)

Count 1: 18 VAC 50-22-260 B 29

Count 2: 18 VAC 50-22-260 B 31

The motion was approved by a unanimous vote. Members voting "Yes" were: **Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood.** **Hart, Rackas Pate and Redifer** were absent.

After discussion a motion was made by **Mr. Kirby** and seconded by **Ms. Wood** to impose the following sanctions: \$500.00 monetary penalty for the violation of Count 1; and \$250.00 monetary penalty for the violation of Count 2. Total monetary penalty is \$750.00. As to Counts 1 and 2, the Board voted to require a member of Responsible Management of Sunset Construction and Fabrications, Inc. to successfully complete the Board's Basic Contractor Licensing Class (remedial education). As to 18 VAC 50-22-260 B 14 (Count 3), the Board found no violation.

The motion was approved by a unanimous vote. Members voting "Yes" were. **Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood.** **Hart, Rackas Pate and Redifer** were absent.

In the matter of Disciplinary File Number 2006-03263, **Jim Powell Construction LLC, t/a Jim Powell Construction LLC (Respondent)**; the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. Neither **Jim Powell Construction, Respondent**, nor anyone on his behalf appeared at the IFF or the board meeting. **Michael and Margaret Ziegler**, Complainants, appeared at the IFF but not the board meeting. A handout was distributed to Board members by **Kevin Hoeft** and **Earlyne Perkins** at the meeting. As the Board Representative, **Ms. Tomlin** was not present and did not vote. After discussion, a motion was made by **Ms. Wood** to remove the monetary penalty from Count 1, the motion failed due to a lack of a second. After further discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Walton** to reduce the monetary penalties for Counts 1-4 and to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and amend the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Jim Powell Construction LLC**, violated the following sections of its Regulations:

File Number
2006-03263
Jim Powell
Construction
LLC, t/a
Jim Powell
Construction
LLC

(Effective January 1, 2003)

Count 1: 18 VAC 50-22-260 B 14

Count 2: 18 VAC 50-22-260 B 16

(Effective September 1, 2001)

Count 3: 18 VAC 50-22-260 B 13

Count 4: 18 VAC 50-22-260 B 12

The motion was approved by a unanimous vote. Members voting "Yes" were. **Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood.** **Hart, Rackas Pate and Redifer** were absent.

After discussion a motion was made by **Ms. Wood** and seconded by **Mr. Walton** to impose the following sanctions: \$250.00 monetary penalty for the violation of Count 1; \$250.00 monetary penalty for the violation of Count 2; \$100.00 monetary penalty for the violation of Count 3; and \$250.00 monetary penalty for the violation of Count 4. Total monetary penalty is \$850.00. The Board also imposed revocation of license (Number 2705-083725) for the violation of Counts 1 and 2. The Board voted to decrease the monetary penalty imposed for the violation of the regulations due to mitigating circumstances.

The motion was approved by a majority vote. Members voting "Yes" were: **Miller, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood.** **Mr. Kirby** voted "no." **Hart, Rackas Pate and Redifer** were absent.

In the matter of Disciplinary File Number 2006-03059, **Thurman Neal, t/a Laredo Fence (Respondent)**; the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Thurman Neal, Respondent,** nor anyone on its behalf appeared at the IFF or the board meeting. As the Board Representative, **Ms. Tomlin** was not present and did not vote. After discussion, a motion was made by **Mr. Orange** and seconded by **Mr. Kirby** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Thurman Neal**, violated the following sections of its Regulations:

File Number
2006-03059
Thurman
Neal, t/a
Laredo
Fence

(Effective September 1, 2001)

Count 1: 18 VAC 50-22-230 A

Count 2: 18 VAC 50-22-260 B 14

The motion was approved by a unanimous vote. Members voting "Yes" were: **Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood.** **Hart, Rackas Pate and Redifer** were absent.

After discussion a motion was made by **Mr. Orange** and seconded by **Mr. Kirby** to impose the following sanctions: \$350.00 monetary penalty for the violation of Count 1; and \$2,500.00 monetary penalty for the violation of Count 2. Total monetary penalty is \$2,850.00. As to Count 1, the Board voted to require Thurman Neal to successfully complete the Board's Basic Contractor Licensing Class (remedial education). The Board also imposed revocation of license (Number 2705-091771) for the violation of Count 2.

The motion was approved by a unanimous vote. Members voting "Yes" were: **Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood.** **Hart, Rackas Pate and Redifer** were absent.

In the matter of Disciplinary File Number 2006-02488, **Petra Construction LLC, t/a Sam & Sons Services (Respondent)**; the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Sammer Salameh and Abeer Salameh on behalf of Petra Construction LLC, Respondent**, appeared at the IFF but not the board meeting. As the Board Representative, **Ms. Tomlin** was not present and did not vote. After discussion, a motion was made by **Mr. Kirby** and seconded by **Mr. Walton** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Petra Construction LLC**, violated the following sections of its Regulations.

File Number
2006-02488
Petra
Construction
LLC, t/a
Sam & Sons
Services

(Effective September 1, 2001)

Count 1: 18 VAC 50-22-230 A

Count 2: 18 VAC 50-22-260 B 8

Count 3: 18 VAC 50-22-260 B 6

Count 4: 18 VAC 50-22-260 B 6

The motion was approved by a unanimous vote. Members voting "Yes" were: **Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood.** **Hart, Rackas Pate and Redifer** were absent.

After discussion a motion was made by **Mr. Smith** and seconded by **Mr. Walton** to impose the following sanctions: \$350.00 monetary penalty for the violation of Count 2; \$500.00 monetary penalty for the violation of Count 3; and \$500.00 monetary penalty for the violation of Count 4. Total monetary penalty is \$1,350.00. As to Counts 1, 2, 3, and 4, the Board voted to require a member of Responsible Management of Petra Construction LLC to successfully complete the Board's Basic Contractor Licensing Class (remedial education). The Board voted to impose no monetary penalty for the violation of Count 1.

The motion was approved by a unanimous vote. Members voting "Yes" were: **Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood.** **Hart, Rackas Pate and Redifer** were absent.

In the matter of Disciplinary File Number 2006-02278, Pul F. Osterbind, Jr., t/a C & P Construction (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Paul F. Osterbind, t/a C & P Construction, Respondent, nor anyone on its behalf appeared at the IFF or the board meeting. Jeff and Laura Bublitz, Complainants, and their attorney, Donald F. Lynch, Esq. appeared at the IFF. Mr. Lynch appeared at the board meeting and he addressed the Board. As the Board Representative, Ms. Tomlin was not present and did not vote. After discussion, a motion was made by Mr. Kirby and seconded by Mr. Orange to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Paul F. Osterbind, Jr., violated the following sections of its Regulations:**

File Number
2006-02278
Paul F.
Osterbind,
Jr., t/a C &
P
Construction

(Effective September 1, 2001
Count 1: 18 VAC 50-22-260 B 27
Count 2: 18 VAC 50-22-260 B 27
Count 3: 18 VAC 50-22-260 B 15
Count 4: 18 VAC 50-22-260 B 16
Count 5: 18 VAC 50-22-260 B 13
Count 6: 18 VAC 50-22-260 B 28

The motion was approved by a unanimous vote. Members voting "Yes" were: **Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood.** **Hart, Rackas Pate and Redifer** were absent.

After discussion a motion was made by **Mr. Kirby** and seconded by **Ms. Wood** to impose the following sanctions: \$750.00 monetary penalty for the violation of Count 1; \$750.00 monetary penalty for the violation of Count 2; \$2,500.00 monetary penalty for the violation of Count 3; \$2,500.00 monetary penalty for the violation of Count 4; \$1,000.00 monetary penalty for the violation of Count 5; and \$2,500 00 monetary penalty for the violation of Count 6. Total monetary penalty is \$10,000.00. As to Counts 1 and 2, the Board voted to require Paul F. Osterbind, Jr. to successfully complete the Board's Basic Contractor Licensing Class (remedial education). The Board also imposed revocation of license (Number 2705-078609) for the violation of Counts 3, 4, 5 and 6.

The motion was approved by a unanimous vote. Members voting "Yes" were: **Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and**

Wood, Hart, Rackas Pate and Redifer were absent.

In the matter of Disciplinary File Number 2006-04155, Russell J LaPlant, t/a R & R Remodeling (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. Neither Russell J LaPlant, t/a R & R Remodeling, Respondent, nor anyone on its behalf appeared at the IFF or the board meeting. As the Board Representative, Ms. Wall was not present and did not vote. After discussion, a motion was made by Ms. Wood and seconded by Mr. Smith to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Russell J LaPlant, t/a R & R Remodeling, violated the following sections of its Regulations:

**File Number
2006-04155
Russell J
LaPlant, t/a
R & R
Remodeling**

(Effective September 1, 2001)

Count 1: 18 VAC 50-22-260 B 9

Count 2: 18 VAC 50-22-260 B 27

Count 3: 18 VAC 50-22-260 B 6

Count 4: 18 VAC 50-22-260 B 14

Count 5: 18 VAC 50-22-260 B 16

Count 6: 18 VAC 50-22-260 B 6

Count 7: 18 VAC 50-22-260 B 13

The motion was approved by a unanimous vote. Members voting "Yes" were: Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood. Hart, Rackas Pate and Redifer were absent.

After discussion a motion was made by Ms. Wood and seconded by Mr. Kirby to impose the following sanctions: \$600.00 monetary penalty for the violation of Count 1; \$680.00 monetary penalty for the violation of Count 2; \$800.00 monetary penalty for the violation of Count 3; \$1,900.00 monetary penalty for the violation of Count 4; \$2,000.00 monetary penalty for the violation of Count 5; \$800.00 monetary penalty for the violation of Count 6 and \$1,300.00 monetary penalty for the violation of Count 7. Total monetary penalty is \$8,080.00. As to Count 1, the Board voted to require Russell J LaPlant to successfully complete the Board's Basic Contractor Licensing Class (remedial education). The Board also imposed revocation of license (Number 2705-089842) for the violation of Counts 2, 3, 4, 5, 6, and 7.

The motion was approved by a unanimous vote. Members voting "Yes" were: Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood. Hart, Rackas Pate and Redifer were absent.

In the matter of Disciplinary File Number 2006-03840, Larry Wayne Gallihugh, t/a L B & M Construction (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Larry Gallihugh, Respondent, and Deborah Turner, Complainant,** appeared at the IFF but not the board meeting. As the Board Representatives, **Ms. Wall** was not present and did not vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Walton** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Larry Wayne Gallihugh, t/a L B & M Construction**, violated the following sections of its Regulations:

File Number
2006-03840
Larry
Wayne
Gallihugh,
t/a L B & M
Construction

(Effective September 1, 2001)

Count 1: 18 VAC 50-22-260 B 9

Count 2: 18 VAC 50-22-260 B 10

Count 3: 18 VAC 50-22-260 B 31

The motion was approved by a unanimous vote. Members voting "Yes" were: **Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood.** **Hart, Rackas Pate and Redifer** were absent.

After discussion a motion was made by **Mr. Kirby** and seconded by **Mr. Walton** to impose the following sanctions: \$100.00 monetary penalty for the violation of Count 1; \$350.00 monetary penalty for the violation of Count 2; and \$400.00 monetary penalty for the violation of Count 3. Total monetary penalty is \$850.00. As to Counts 1, 2 and 3, the Board voted to require a member of Responsible Management of **Larry Wayne Gallihugh** to successfully complete the Board's Basic Contractor Licensing Class (remedial education).

The motion was approved by a unanimous vote. Members voting "Yes" were: **Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood.** **Hart, Rackas Pate and Redifer** were absent.

In the matter of Disciplinary File Number 2006-02955, W David Llewellyn, Sr., t/a Accent Masonry (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither W. David Llewellyn, Sr., Respondent, nor anyone on its behalf** appeared at the IFF or the board meeting. **Linda Kapuscinski, Complainant,** appeared at the IFF and the board meeting. As the Board Representative, **Ms. Wall** was not present and did not vote. After discussion, a motion was made by **Mr. Walton** and seconded by **Mr. Orange** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with

File Number
2006-02955
W David
Llewellyn,
Sr., t/a
Accent
Masonry

Recommendations. The Board found **W. David Llewellyn, Sr.**, violated the following sections of its Regulations:

(Effective September 1, 2001)

Count 1: 18 VAC 50-22-260 B 8

Count 2: 18 VAC 50-22-260 B 9

Count 3: 18 VAC 50-22-260 B 9

Count 4: 18 VAC 50-22-260 B 27

Count 5: 18 VAC 50-22-260 B 15

Count 6: 18 VAC 50-22-260 B 16

Count 7: 18 VAC 50-22-260 B 28

Count 8: 18 VAC 50-22-260 B 13

The motion was approved by a unanimous vote. Members voting "Yes" were: **Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood.** **Hart, Rackas Pate and Redifer** were absent.

After discussion a motion was made by **Mr. Kirby** and seconded by **Mr. Walton** to impose the following sanctions: \$350.00 monetary penalty for the violation of Count 1; \$600.00 monetary penalty for the violation of Count 2; \$500.00 monetary penalty for the violation of Count 3; \$1,000.00 monetary penalty for the violation of Count 4; \$1,700.00 monetary penalty for the violation of Count 5; \$2,000.00 monetary penalty for the violation of Count 6; \$2,000.00 monetary penalty for the violation of Count 7 and \$1,300.00 monetary penalty for the violation of Count 8. Total monetary penalty is \$9,450.00 As to Counts 1, 2 and 3 the Board voted to require **W. David Llewellyn, Sr.** to successfully complete the Board's Basic Contractor Licensing Class (remedial education). The Board also imposed revocation of license (Number 2705-079690) for the violation of Counts 3, 4, 5, 6, 7, and 8.

The motion was approved by a unanimous vote. Members voting "Yes" were: **Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood.** **Hart, Rackas Pate and Redifer** were absent.

In the matter of Disciplinary File Number 2006-02445, **Kicking Mule Farm Plumbing & Electrical Service, t/a Calbo Jerry Wayne (Respondent)**; the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. Neither **Kicking Mule Farm Plumbing & Electrical Service, Respondent**, nor anyone on its behalf appeared at the IFF or the board meeting. **Shelly Basinger, Complainant**, appeared at the IFF and the board meeting. As the Board Representatives, **Ms. Wall** and **Mr. Orange** were not present and did not vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Walton** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in

File Number
2006-02445
Kicking
Mule Farm
Plumbing &
Electrical
Service, t/a
Calbo Jerry
Wayne

this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Kicking Mule Farm Plumbing & Electrical Service**, violated the following sections of its Regulations:

(Effective September 1, 2001)

Count 1: 18 VAC 50-22-260 B 14

Count 3: 18 VAC 50-22-260 B 13

The motion was approved by a unanimous vote. Members voting "Yes" were: **Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, and Wood.** **Hart, Rackas Pate and Redifer** were absent.

After discussion a motion was made by **Ms. Wood** and seconded by **Mr. Walton** to impose the following sanctions: \$1,900.00 monetary penalty for the violation of Count 1; and \$1,300.00 monetary penalty for the violation of Count 3. Total monetary penalty is \$3,200.00. The Board also imposed revocation of license (Number 2705-013337) for the violation of Counts 2 and 3. As to 18 VAC 50-22-260 B 9 (Count 1), the Board found no violation.

The motion was approved by a unanimous vote. Members voting "Yes" were: **Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, and Wood.** **Hart, Rackas Pate and Redifer** were absent.

In the matter of Disciplinary File Number 2006-02450, **Kicking Mule Farm Plumbing & Electrical Service, t/a Calbo Jerry Wayne (Respondent)**; the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Kicking Mule Farm Plumbing & Electrical Service, Respondent, nor anyone on its behalf appeared at the IFF or the board meeting.** As the Board Representatives, **Ms. Wall** and **Mr. Orange** were not present and did not vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Smith** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Kicking Mule Farm Plumbing & Electrical Service**, violated the following sections of its Regulations:

File Number
2006-02450
Kicking
Mule Farm
Plumbing &
Electrical
Service, t/a
Calbo Jerry
Wayne

(Effective September 1, 2001)

Count 1: 18 VAC 50-22-260 B 5

Count 2: 18 VAC 50-22-260 B 14

Count 3: 18 VAC 50-22-260 B 13

The motion was approved by a unanimous vote. Members voting "Yes" were: **Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, and Wood.** **Hart, Rackas Pate and Redifer** were absent.

After discussion a motion was made by **Ms. Wood** and seconded by **Mr. Walton** to impose the following sanctions: \$1,300.00 monetary penalty for the violation of Count 1, \$1,900.00 monetary penalty for the violation of Count 2 and \$1,300.00 monetary penalty for the violation of Count 3. Total monetary penalty is \$4,500.00. The Board also imposed revocation of license (Number 2705-013337) for the violation of Counts 1, 2 and 3.

The motion was approved by a unanimous vote. Members voting "Yes" were: **Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, and Wood.** **Hart, Rackas Pate and Redifer** were absent.

At 12:50 the Board took a break for a working lunch and reconvened at 1:10.

**Recess and
Reconvene**

In the matter of Disciplinary File Number 2006-02322, General Fiber Communications, Inc., t/a General Fiber Communications, Inc. (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither General Fiber Communications, Inc., Respondent,** nor anyone on its behalf appeared at the IFF or the board meeting. As the Board Representative, **Ms. Wall** was not present and did not vote. After discussion, a motion was made by **Mr. Orange** and seconded by **Mr. Smith** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **General Fiber Communications, Inc.,** violated the following sections of its Regulations:

**File Number
2006-02322
General
Fiber
Communicat
ion, Inc., t/a
General
Fiber
Communicat
ions, Inc.**

**(Effective September 1, 2001)
Count 1: 18 VAC 50-22-220 C
Count 2: 18 VAC 50-22-260 B 13**

The motion was approved by a unanimous vote. Members voting "Yes" were: **Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Orange, Smith, Modisett, and Wood.** **Hart, Rackas Pate and Redifer** were absent.

After discussion a motion was made by **Mr. Orange** and seconded by **Mr. Smith** to impose the following sanctions: \$400.00 monetary penalty for the violation of Count 1; and \$1,400.00 monetary penalty for the violation of Count 2. Total monetary penalty is \$1,800.00. As to Count 1, the Board voted to require a member of Responsible Management of General Fiber Communications, Inc. to successfully complete the Board's Basic Contractor Licensing Class (remedial education). The Board also imposed revocation of

license (Number 2705-072772) for the violation of Count 2.

The motion was approved by a unanimous vote. Members voting "Yes" were: Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Orange, Modisett, and Wood. Hart, Rackas Pate and Redifer were absent.

In the matter of Disciplinary File Number 2006-02256, W David Llewellyn, Sr., t/a Accent Masonry (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. Neither W. David Llewellyn, Sr., Respondent, nor anyone on its behalf appeared at the IFF or the board meeting. Walter A. Jasinskis, Complainant, appeared at the IFF but not the board meeting. As the Board Representative, Ms. Wall was not present and did not vote. After discussion, a motion was made by Mr. Orange and seconded by Ms. Tomlin to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found W. David Llewellyn, Sr., violated the following sections of its Regulations:

File Number
2006-02256
W. David
Llewellyn,
Sr., t/a
Accent
Masonry

(Effective September 1, 2001)

Count 1: 18 VAC 50-22-260 B 8

Count 2: 18 VAC 50-22-260 B 9

Count 3: 18 VAC 50-22-260 B 14

Count 4: 18 VAC 50-22-260 B 16

Count 5: 18 VAC 50-22-260 B 28

Count 6: 18 VAC 50-22-260 B 13

The motion was approved by a unanimous vote. Members voting "Yes" were: Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood. Hart, Rackas Pate and Redifer were absent.

After discussion a motion was made by Mr. Orange and seconded by Ms. Tomlin to impose the following sanctions: \$350.00 monetary penalty for the violation of Count 1; \$600.00 monetary penalty for the violation of Count 2; \$1,900.00 monetary penalty for the violation of Count 3; \$2,000.00 monetary penalty for the violation of Count 4; \$2,000.00 monetary penalty for the violation of Count 5; and \$800.00 monetary penalty for the violation of Count 6. Total monetary penalty is \$7,650.00. As to Counts 1 and 2, the Board voted to require W. David Llewellyn, Sr. to successfully complete the Board's Basic Contractor Licensing Class (remedial education). The Board also imposed revocation of license (Number 2705-079690) for the violation of Counts 3, 4, 5 and 6

The motion was approved by a unanimous vote. Members voting "Yes" were: Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange

and Wood. Hart, Rackas Pate and Redifer were absent.

In the matter of Disciplinary File Number 2006-02201, Bayside Homes LLC (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Heathergrey Barham and Duncan Peek, on behalf of Bayside Homes, LLC, Respondent,** appeared at the IFF but not the board meeting. **David and Robin Troutman, Complainants,** appeared at the IFF but not the board meeting. As the Board Representative, **Ms. Wall** was not present and did not vote. After discussion, a motion was made by **Mr. Walton** and seconded by **Mr. Orange** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Bayside Homes LLC,** violated the following sections of its Regulations:

File Number
2006-02201
Bayside
Homes LLC

(Effective September 1, 2003)

Count 1: 18 VAC 50-22-260 B 29 (four violations)

Count 2: 18 VAC 50-22-260 B 6

The motion was approved by a unanimous vote. Members voting "Yes" were: **Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood. Hart, Rackas Pate and Redifer were absent.**

After discussion a motion was made by **Mr. Walton** and seconded by **Mr. Smith** to impose the following sanctions: **\$2,000.00 (four violations @ \$500.00 each violation) monetary penalty for the violation of Count 1 and \$850.00 monetary penalty for the violation of Count 2. Total monetary penalty is \$2,850.00. As to Count 1, the Board voted to require a member of responsible Management of Bayside Homes LLC. to successfully complete the Board's Basic Contractor Licensing Class (remedial education). The Board also imposed revocation of license (Number 2705-080845) for the violation of Count 2.**

The motion was approved by a unanimous vote. Members voting "Yes" were: **Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood. Hart, Rackas Pate and Redifer were absent.**

In the matter of Disciplinary File Number 2006-01947, James W. Moseley, t/a Moseley and Sons Home Improvement, (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **James W. Moseley, t/a Mosley and Sons Home Improvement, Respondent,** appeared at the IFF but not the board meeting. As the Board Representative, **Ms. Wall** was not present and did not vote. After discussion, a motion was made by **Mr.**

File Number
2006-01947
James W.
Moseley, t/a
Moseley and
Sons Home
Improve-

Kirby and seconded by Mr. Smith to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found James W. Moseley, violated the following sections of its Regulations: **ment**

(Effective September 1, 2001)

Count 1: 18 VAC 50-22-260 B 6

Count 2: 18 VAC 50-22-260 B 15

The motion was approved by a unanimous vote. Members voting "Yes" were: Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood. Hart, Rackas Pate and Redifer were absent.

After discussion a motion was made by Mr. Kirby and seconded by Mr. Smith to impose the following sanctions: \$9000.00 monetary penalty for the violation of Count 1 and \$1,800.00 monetary penalty for the violation of Count 2. Total monetary penalty is \$2,700.00. As to Counts 1 and 2 the Board voted to require James W. Moseley to successfully complete the Board's Basic Contractor Licensing Class (remedial education).

The motion was approved by a unanimous vote. Members voting "Yes" were: Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood. Hart, Rackas Pate and Redifer were absent.

In the matter of Disciplinary File Number 2005-01935, Kelly J. Wilcha & Peter S. Wilcha, t/a Peter S. Wilcha General Contractor (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. Peter S. Wilcha, Respondent, appeared at the IFF but not the board meeting. As the Board Representative, Ms. Wall was not present and did not vote. After discussion, a motion was made by Mr. Kirby and seconded by Mr. Smith to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Kelly J. Wilcha & Peter S. Wilcha., violated the following sections of its Regulations:

File Number
2005-01935
Kelly J.
Wilcha &
Perer s.
Wilcha, t/a
Peter S.
Wilcha
General
Contractor

(Effective September 1, 2001)

Count 1: 18 VAC 50-22-260 B 9

Count 2: 18 VAC 50-22-260 B 15

The motion was approved by a unanimous vote. Members voting "Yes" were: Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood. Hart, Rackas Pate and Redifer were absent.

After discussion a motion was made by **Mr. Kirby** and seconded by **Mr. Walton** to impose the following sanctions: \$2000.00 monetary penalty for the violation of Count 1 and \$1,800.00 monetary penalty for the violation of Count 2. Total monetary penalty is \$2,000.00. As to Counts 1 and 2, the Board voted to require a member of Responsible Management of **Kelly J. Wilcha & Peter S. Wilcha** to successfully complete the Board's Basic Contractor Licensing Class (remedial education).

The motion was approved by a unanimous vote. Members voting "Yes" were: **Tomlin, Miller, Kirby, Walton, Kinser, Cronin, Smith, Modisett, Orange and Wood.** **Hart, Rackas Pate and Redifer** were absent.

In the matter of Disciplinary File Number 2006-00883 Russell J LaPlant, t/a R & R Remodeling (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. Neither **Russell J LaPlant, t/a R & R Remodeling, Respondent**, nor anyone on its behalf appeared at the IFF or the board meeting. As the Board Representatives, **Ms. Wall** and **Mr. Kinser** was not present and did not vote. After discussion, a motion was made by **Mr. Walton** and seconded by **Mr. Kirby** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Russell J LaPlant, t/a R & R Remodeling**, violated the following sections of its Regulations:

File Number
2006-00883
Russell J.
LaPlant, t/a
R & R
Remodeling

(Effective September 1, 2001)
Count 1: 18 VAC 50-22-260 B 15

The motion was approved by a unanimous vote. Members voting "Yes" were: **Tomlin, Miller, Kirby, Walton, Cronin, Smith, Modisett, Orange and Wood.** **Hart, Rackas Pate and Redifer** were absent.

After discussion a motion was made by **Mr. Walton** and seconded by **Mr. Kirby** to impose the following sanctions: \$1,700 00 monetary penalty for the violation of Count 1. Total monetary penalty is \$1,700.00. The Board also imposed revocation of license (Number 2705-089842) for the violation of Count 1.

The motion was approved by a unanimous vote. Members voting "Yes" were: **Tomlin, Miller, Kirby, Walton, Cronin, Smith, Modisett, Orange and Wood.** **Hart, Rackas Pate and Redifer** were absent.

In the matter of Consent Order File Number 2005-02708 Board v. Pool

File Number

Masters, Inc., the board reviewed the Consent Order. **Pool Masters Inc.** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-200.A, \$0.00; Count 2: 18 VAC 50-22-260.B.9 \$0.00 and Count 3: 18 VAC 50-22-260.B.13, \$500.00. A total monetary penalty of \$500.00 is hereby imposed. In addition, for violation, the Board finds **Pool Masters Inc.**, agrees to have a member of Responsible Management successfully complete its Basic Contracting Licensing Class within six months of the entry of the order. In addition, **Pool Masters Inc** also agrees to pay \$150.00 in Board costs.

2005-02708
POOL
MASTERS,
INC

Upon a motion by **Mr. Walton** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Kirby, Walton, Cronin, Orange, Modisett, Smith, Miller, Tomlin and Wood.** **Redifer, Hart and Rackas-Pate** were absent.

In the matter of Consent Order File Number 2006-00870, Board v. **Mechanical System Inc, t/a Mechanical Systems Inc**, the Board reviewed the Consent Order.

File Number
2006-00870
Mechanical
Systems Inc,
t/a
Mechanical
Systems Inc.

Mechanical Systems Inc acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.6 \$100.00. A total monetary penalty of \$100.00 is hereby imposed. In addition, for the violation of Count 1, **Mechanical Systems Inc** agrees to successfully complete remedial education by attending the Board's Contracting Licensing Class and passing the examination within six months of the effective date of the order.

Upon a motion by **Mr. Walton** seconded by **Mr. Smith** the board ratified the consent order with a unanimous vote: Members voting "Yes" were: **Kinser, Kirby, Walton, Cronin, Orange, Modisett, Smith, Miller, Tomlin and Wood.** **Redifer, Hart and Rackas-Pate** were absent.

In the matter of Consent Order File Number 2006-02485, Board v. **Virginia Basement Systems, Inc.** the Board reviewed the Consent Order.

File Number
2006-02485
Virginia
Basement
Systems, Inc.

Virginia Basement Systems, Inc. acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-210 \$50.00; Count 2: 18 VAC 50-22-260.B.9 \$100.00; Count 3: 18 VAC 50-22-260.B.8 \$50.00; Count 4: 18 VAC 50-22-260.B.27 \$50.00; Count 5: 18 VAC 50-22-260.B.9 \$100.00; Count 6: 18 VAC 50-22-260.B.8 \$50.00;

Count 7: 18 VAC 50-22-260.B.27 \$50.00; Count 8: 18 VAC 50-22-230.B \$100.00. A total monetary penalty of \$550.00 is hereby imposed. In addition, for the violation of Counts 1 through 8, Virginia Basement, Inc. agrees to have a member of Responsible Management successfully complete remedial education by attending the Board's Contracting License Class and passing the examination within six (6) months of the effective date of this order. In addition, Virginia Basement Systems, Inc. also agrees to pay \$150 in Board costs.

Upon a motion by Mr. Walton seconded by Mr. Smith, the board ratified the consent order with a unanimous vote: Members voting "Yes" were: Kinser, Kirby, Walton, Cronin, Orange, Modisett, Smith, Miller, Tomlin and Wood. Redifer, Hart and Rackas-Pate were absent.

In the matter of Consent Order File Number 2006-02816, Board v. Custom Log Builders LLC, the Board reviewed the Consent Order.

**File Number
2006-02816
Custom Log
Builders
LLC**

Custom Log Builders LLC acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings. Custom Log Builders LLC consents to the following term(s): Count 1: 18 VAC 50-22-260.B.31 \$300.00. A total monetary penalty of \$300.00 is hereby imposed. In addition, Custom Log Builders LLC agrees to have a member of Responsible Management successfully complete the Board's Basic Contracting Licensing Class within six months of the effective date of the order. Custom Log Builders LLC also agrees to pay \$150.00 in Board costs.

Upon a motion by Mr. Walton seconded by Mr. Smith, the board ratified the consent order with a unanimous vote: Members voting "Yes" were: Kinser, Kirby, Walton, Cronin, Orange, Modisett, Smith, Miller, Tomlin and Wood. Redifer, Hart and Rackas-Pate were absent.

In the matter of Consent Order File Number 2006-02941, Board v. Linda A. Abendroth, t/a Jla Construction, the Board reviewed the Consent Order.

**File Number
2006-02941
Linda A.
Abendroth,
t/a Jla
Construction**

Linda A. Abendroth acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.29 (two violations) \$100.00 each. A total monetary penalty of \$200.00 is hereby imposed. In addition, Linda A Abendroth agrees to successfully complete remedial education by attending the Board's Basic Contracting Licensing Class and passing the examination within six months of the effective date of the order. Linda A. Abendroth also agrees to pay \$150.00 in Board costs.

Upon a motion by Mr. Walton seconded by Mr. Smith the board ratified the consent order with a unanimous vote: Members voting "Yes" were: Kinser, Kirby, Walton, Cronin, Orange, Modisett, Smith, Miller, Tomlin and Wood. Redifer, Hart and Rackas-Pate were absent.

In the matter of Consent Order File Number 2006-03057, Board v. Cesar Dominquez, t/a D C Enterprises, the Board reviewed the Consent Order.

**File Number
2006-03057
Cesar
Dominquez,
t/a D C
Enterprises**

Cesar Dominquez acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.31 \$150.00. A total monetary penalty of \$150.00 is hereby imposed. In addition, Cesar Dominquez agrees to successfully complete its Basic Contracting Licensing Class within six months of the effective date of the order. Cesar Dominquez also agrees to pay \$150.00 in Board costs.

Upon a motion by Mr. Walton seconded by Mr. Smith the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Kinser, Kirby, Walton, Cronin, Orange, Modisett, Smith, Miller, Tomlin and Wood. Redifer, Hart and Rackas-Pate were absent.

In the matter of Consent Order File Number 2006-03100, Board v. Backyard Creations Inc, t/a Backyard Creations Inc, the Board reviewed the Consent Order.

**File Number
2006-03100
Backyard
Creations
Inc, t/a
Backyard
Creations
Inc**

Backyard Creations Inc, t/a Backyard Creations Inc, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.10 \$300.00; Count 2: 18 VAC 50-22-260.B.31 \$400.00; and Count 3: 18 VAC 50-22-260.B.15 \$500.00. A total monetary penalty of \$1,200.00 is hereby imposed. In addition, for the violation of Counts 1 through 3, Backyard Creations Inc agrees to have a member of Responsible Management successfully complete remedial education by attending the Board's Basic Contracting Licensing Class and passing the examination within six months of the effective date of the order. Backyard Creations Inc also agrees to pay \$150.00 in Board costs.

Upon a motion by Mr. Walton seconded by Mr. Smith the board ratified the consent order with a unanimous vote: Members voting "Yes" were: Kinser, Kirby, Walton, Cronin, Orange, Modisett, Smith, Miller and Tomlin. Redifer, Hart and Rackas-Pate were absent. Ms. Wood did not participate and did not vote.

In the matter of Consent Order File Number 2006-03103, Board v. Joseph A Zehala, t/a Joseph A Zehala Contractor, the Board reviewed the Consent Order.

**File Number
2006-03103
Joseph A
Zehala, t/a
Joseph A
Zehala
Contractor**

Joseph A Zehala acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-230(A) \$50.00. A total monetary penalty of \$50.00 is hereby imposed. In addition for violation, Joseph A Zehala agrees to successfully complete remedial education by attending the Board's Contracting License Class and passing the examination within six (6) months of the effective date of this order. Joseph A Zehala also agrees to pay \$150.00 in Board costs.

Upon a motion by Mr. Walton, seconded by Mr. Smith the board ratified the consent order with a unanimous vote Members voting "Yes" were: Kinser, Kirby, Walton, Cronin, Orange, Modisett, Smith, Miller, Tomlin and Wood. Redifer, Hart and Rackas-Pate were absent.

In the matter of Consent Order File Number 2006-03253 Board v. Precision Construction Inc, t/a Precision Construction Inc., the Board reviewed the Consent Order.

**File Number
2006-03253
Precision
Construction
Inc, t/a
Precision
Construction
Inc**

Precision Construction Inc. acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.27 \$1200.00; Count 2: 18 VAC 50-22-260.B.15 \$1900.00; Count 3: VAC 50-22-260.B.31 \$300.00. A total monetary penalty of \$3400.00 is hereby imposed. In addition, for the violation of Counts 1, 2, and 3, Precision Construction Inc. agree to have a member of Responsible Management successfully complete remedial education by attending its Basic Contracting Licensing Class within six (6) months of the effective date of the order. Precision Construction, Inc. also agrees to pay \$150.00 in Board costs.

As the Board Representative, Mr. Modisett did not participate and did not vote.

Upon a motion by Mr. Walton seconded by Mr. Smith the board ratified the consent order with a unanimous vote: Members voting "Yes" were: Kinser, Kirby, Walton, Cronin, Orange, Smith, Miller, Tomlin and Wood. Redifer, Hart and Rackas-Pate were absent.

In the matter of Consent Order File Number 2006-03296, Board v. James K. Haynes, t/a J K Haynes Htg & A/C Service, the Board reviewed the

**File Number
2006-03296,**

Consent Order.

**James K.
Haynes, t/a J
K Haynes
Htg & A/C
Service**

James K. Haynes, t/a J K Haynes Htg & A/C Service, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-230.B \$250.00; Count 2: 18 VAC 50-22-260.B.9 \$375.00; Count 3: 18 VAC 50-22-260.B.14 \$1,500.00; and Count 4: 18 VAC 50-22-260.B.15 \$500.00. A total monetary penalty of \$2,625.00 is hereby imposed. In addition, James K. Haynes, t/a J K Haynes Htg & A/C Service agrees to have a member of Responsible Management successfully complete its Basic Contracting Licensing Class within six (6) months of the effective date of the order. James K. Haynes, t/a J K Haynes Htg & A/C Service also agrees to pay \$150.00 in Board costs.

As the Board Representative, Mr. Kinser did not participate and did not vote.

Upon a motion by Mr. Walton seconded by Mr. Smith the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Kirby, Walton, Cronin, Orange, Modisett, Smith, Miller, Tomlin and Wood. Redifer, Hart and Rackas-Pate were absent. Mr. Kinser did not vote in this matter.

In the matter of Consent Order File Number 2006-03301, Board v. Locklear Homes Inc, the Board reviewed the Consent Order.

**File Number
2006-03301
Locklear
Homes Inc**

Locklear Homes Inc. acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.15 \$2,000.00; Count 2: 18 VAC 50-22-260.B.30 \$1,500.00; Count 3: 18 VAC 50-22-260.B.17 \$2,000.00; Count 4: 18 VAC 50-22-260.B.6 \$2,000.00. A total monetary penalty of \$7,500.00 is hereby imposed. In addition, for the violation of Count 1, 2, 3, and 4, Locklear Homes Inc agrees to have a member of Responsible Management successfully complete remedial education by attending the Board's Basic Contracting Licensing Class and passing the examination within six months of the effective date of the order. Locklear Homes Inc also agrees to pay \$350.00 in Board costs.

As the Board Representative, Mr. Smith did not participate and did not vote.

Upon a motion by Mr. Walton seconded by Mr. Kirby the board ratified the consent order with an unanimous vote Members voting "Yes" were: Kinser, Kirby, Walton, Cronin, Orange, Modisett, Miller, Tomlin and Wood. Redifer, Hart and Rackas-Pate were absent. Mr. Smith did not vote in

this matter.

In the matter of Consent Order File Number 2006-03361, Board v. Henry W Thouin, t/a Thouin Enterprises, the Board reviewed the Consent Order. Henry W Thouin acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B 27 \$650.00; Count 2: 18 VAC 50-22-260.B.15 \$1,700.00. A total monetary penalty of \$2,350.00 is hereby imposed. In addition, Thouin Enterprises, Inc, agrees to have a member of Responsible Management successfully complete its Basic Contracting Licensing Class within six months of the effective date of the order. Henry W Thouin also agrees to pay \$150.00 in Board costs.

**File Number
2006-03361
Henry W
Thouin t/a
Thouin
Enterprises**

Upon a motion by Mr. Walton seconded by Mr. Kirby the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Kinser, Kirby, Walton, Cronin, Orange, Modisett, Smith, Miller, Tomlin and Wood. Redifer, Hart and Rackas-Pate were absent.

In the matter of Consent Order File Number 2006-03610, Board v. Timothy W Finn, t/a Dominion Fence & Deck Company, the Board reviewed the Consent Order.

**File Number
2006-03610
Timothy W
Finn, t/a
Dominion
Fence &
Deck
Company**

Timothy W Finn acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B 31 \$300.00. A total monetary penalty of \$300.00 is hereby imposed. In addition, for the violation of Count 1, Timothy W Finn agrees to successfully complete the Board's Basic Contracting Licensing Class within six months of the effective date of the order. Timothy W Finn also agrees to pay \$150.00 in Board costs.

Upon a motion by Mr. Walton seconded by Mr. Kirby the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Kinser, Kirby, Walton, Cronin, Orange, Modisett, Miller, Smith, Tomlin and Wood. Redifer, Hart and Rackas-Pate were absent.

In the matter of Consent Order File Number 2006-03754, Board v. Shade Tree Custom Homes & Development LLC, the Board reviewed the Consent Order.

**File Number
2006-03754
Shade Tree
Custom
Homes &
Development
LLC**

Shade Tree Custom Homes & Development LLC acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B 31 \$300.00, and Count 2: 18 VAC 50-22-

260.B. 29 \$500.00. A total monetary penalty of \$800.00 is hereby imposed. In addition, for the violation, Shade Tree Custom Homes & Development LLC agrees to have a member of Responsible Management successfully complete remedial education by attending the Board's contracting licensing class and passing the examination within six (6) months of the effective date of the order. Shade Tree Custom Homes & Development also agrees to pay \$150.00 in Board costs.

Upon a motion by Mr. Walton seconded by Mr. Kirby the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Kinser, Kirby, Walton, Cronin, Orange, Modisett, Miller, Smith, Tomlin and Wood. Redifer, Hart and Rackas-Pate were absent.

In the matter of Consent Order File Number 2006-03896, Board v. King Investments Inc, t/a King Investments Inc, the Board reviewed the Consent Order.

**File Number
2006-03896
King
Investments
Inc, t/a King
Investments
Inc.**

King Investments Inc, t/a King Investments Inc acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.27 \$500.00, Count 2: 18 VAC 50-22-260.B.6 \$800.00. A total monetary penalty of \$1,300.00 is hereby imposed. In addition, for the violation of Count 1, King Investments Inc agrees to have a member of Responsible Management successfully complete remedial education by attending the Board's contracting license class and passing the examination within six (6) months of the effective date of the order. King Investments Inc also agrees to pay \$150.00 in Board costs.

Upon a motion by Mr. Walton seconded by Mr. Kirby the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Kinser, Kirby, Walton, Cronin, Orange, Modisett, Miller, Smith, Tomlin and Wood. Redifer, Hart and Rackas-Pate were absent.

In the matter of Consent Order File Number 2006-03965, Board v. The Jlk Companies, Inc, t/a Triple Seal Northern Virginia, the Board reviewed the Consent Order.

**File Number
2006-03965
The Jlk
Companies,
Inc, t/a
Triple Seal
Northern
Virginia**

The Jlk Companies, Inc, t/a Triple Seal Northern Virginia acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B 27 \$200.00 and Count 2: 18 VAC 50-22-260. B 31 \$50.00. A total monetary penalty of \$250.00 is hereby imposed. In addition, for the violations of Counts 1 and 2, JLK agrees to have a

member of Responsible Management successfully complete remedial education by attending the Board's contracting license class and passing the examination within six (6) months of effective date of the order. JLK also agrees to pay \$150.00 in Board costs.

Upon a motion by Mr. Walton seconded by Mr. Kirby the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Kinser, Kirby, Walton, Cronin, Orange, Modisett, Miller, Smith, Tomlin and Wood. Redifer, Hart and Rackas-Pate were absent.

In the matter of Consent Order File Number 2006-03998, Board v. Goode Construction Inc, t/a Goode Construction Inc, the Board reviewed the Consent Order.

**File Number
2006-03998
Goode
Construction
Inc, t/a
Goode
Construction
Inc**

Goode Construction Inc, t/a Goode Construction Inc acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.15 \$500.00, Count 2: 18 VAC 50-22-260.B.29 \$1,000.00, and Count 3: 18 VAC 50-22-260.B.31 \$500.00. A total monetary penalty of \$2,000.00 is hereby imposed. In addition, the Board shall waive the remedial education requirement provided a member of Responsible Management of Goode Construction Inc, t/a Goode Construction Inc has successfully completed remedial education by September 28, 2006, pursuant to the terms of the Consent Order regarding File No. 2006-02053, accepted by the Board on March 29, 2006. Goode Construction Inc, t/a Goode Construction Inc, also agrees to pay \$150.00 in Board costs.

Upon a motion by Mr. Walton seconded by Mr. Kirby the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Kinser, Kirby, Walton, Cronin, Orange, Modisett, Miller, Smith and Tomlin. Redifer, Hart and Rackas-Pate were absent. Ms. Wood did not vote in this matter.

In the matter of Consent Order File Number 2006-04018, Board v. Siler Construction And Home Services LLC, t/a Siler Construction And Home Services LLC, the Board reviewed the Consent Order.

**File Number
2006-04018
Siler
Construction
And Home
Services
LLC, t/a
Siler
Construction**

Siler Construction And Home Services LLC, t/a Siler Construction And Home Services LLC acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B 22 \$0.00, and Count 2: 18 VAC 50-22-260-B.31 \$400.00. A total monetary

penalty of \$400.00 is hereby imposed. In addition, Siler Construction And Home Services LLC, t/a Siler Construction And Home Services LLC agrees to have a member of Responsible Management successfully complete remedial education by attending the Board's contracting licensing class and passing the examination within six (6) months of the effective date of this order. Siler Construction And Home Services LLC also agrees to pay \$150.00 in Board costs.

**And Home
Services
LLC**

Upon a motion by Mr. Walton seconded by Mr. Kirby the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Kinser, Kirby, Walton, Cronin, Orange, Modisett, Miller, Tomlin and Wood. Redifer, Hart and Rackas-Pate were absent.

In the matter of Consent Order File Number 2006-04120, Board v. Virginia Central Vacuums Inc, the Board reviewed the Consent Order.

**File Number
2006-04120
Virginia
Central
Vacuums Inc**

Virginia Central Vacuums Inc acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.15 \$2500.00, Count 2: 18 VAC 50-22-260.B.8 \$100.00, and Count 3: 18 VAC 50-22-260.B.31 \$100.00. A total monetary penalty of \$2700.00 is hereby imposed. In addition, the Board shall waive imposition of the \$2500.00 monetary penalty for Court 1 provided Virginia Central Vacuums Inc either:

- completes the central vacuum installation at the subject property and provides the Board with proof of completion within thirty (30) days of the effective date of this order OR**
- reimburse the cost of the vacuum and its attachments to Stephanie C Woolfolk and provides the Board with proof of the payment within thirty (30) days of the effective date of this order.**

If Virginia Central Vacuums Inc fails to comply with these conditions, then the full monetary penalty for Court 1 will be automatically imposed.

In addition, for violation of Counts 1, 2, and 3, Virginia Central Vacuums Inc agrees to have a member of Responsible Management successfully complete remedial education by attending the Board's contracting license class and passing the examination within six (6) months of the effective date of this order.

Virginia Central Vacuums Inc also agrees to pay \$150.00 in Board costs.

Upon a motion by Mr. Walton seconded by Mr. Miller the board ratified the

consent order with an unanimous vote: Members voting "Yes" were: Kinser, Smith, Walton, Cronin, Orange, Modisett, Miller, Tomlin and Wood. Redifer, Hart and Rackas-Pate were absent. Mr. Kirby did not vote in this matter.

In the matter of Consent Order File Number 2006-04261, Board v. Eugene Marshall White t/a A & W Restoration Service, the Board reviewed the Consent Order.

**File Number
2006-04261
Eugene
Marshall
White, t/a A
& W
Restoration
Service**

Eugene Marshall White, t/a A & W Restoration Service acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B 8 \$350.00. A total monetary penalty of \$350.00 is hereby imposed. In addition, for violation of Count 1, Eugene Marshall White agrees to successfully complete remedial education by attending the Board's contracting license class and passing the examination within six (6) months of the effective date of this order.

Eugene Marshall White also agrees to pay \$150.00 in Board costs.

Upon a motion by Mr. Walton seconded by Mr. Kirby the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Kinser, Kirby, Walton, Cronin, Orange, Modisett, Miller, Tomlin and Wood. Redifer, Hart and Rackas-Pate were absent.

In the matter of Consent Order File Number 2006-04329, Board v. James R DeHaven Sr, t/a DeHaven's Masonry Concrete, the Board reviewed the Consent Order.

**File Number
2006-04329
James R
DeHaven Sr,
t/a
DeHaven's
Masonry
Concrete**

James R DeHaven Sr acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B 18 \$400.00, and Count 2: 18 VAC 50-22-260.B8 \$300.00. A total monetary penalty of \$700.00 is hereby imposed. In addition, James R DeHaven Sr agrees to successfully complete remedial education by attending the Board's contracting licensing class and passing the examination within six (6) months of the effective date of this order. James R DeHaven Sr also agrees to pay \$150.00 in Board costs.

Upon a motion by Mr. Walton seconded by Mr. Kirby the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Kinser, Kirby, Walton, Cronin, Orange, Modisett, Miller, Tomlin and Wood. Redifer, Hart and Rackas-Pate were absent.

In the matter of Consent Order File Number 2006-04396, Board v. The Scruggs Company LLC, the Board reviewed the Consent Order.

**File Number
2006-04396
The Scruggs
Company
LLC**

The Scruggs Company LLC acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B 6 \$150.00, Count 2: 18 VAC 50-22-260.B6 \$150.00, Count 3: 18 VAC 50-22-260.B6 \$150.00, Count 4: 18 VAC 50-22-260.B6 \$150.00 Count 5: 18 VAC 50-22-260.B6 \$150.00, and Count 6: 18 VAC 50-22-260.B6 \$150.00. A total monetary penalty of \$900.00 is hereby imposed. In addition, for violation of Counts 1 through 6, The Scruggs Company LLC agrees to have a member of Responsible Management successfully complete remedial education by attending the Board's contracting license class and passing the examination within six (6) months of the effective date of the order. The Scruggs Company LLC also agrees to pay \$150.00 in Board costs.

Upon a motion by Mr. Walton seconded by Mr. Kirby the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Kinser, Kirby, Walton, Cronin, Orange, Modisett, Miller, Tomlin and Wood. Redifer, Hart and Rackas-Pate were absent.

In the matter of Consent Order File Number 2006-04450, Board v. Star Construction Co Inc, t/a Star Construction Co Inc, the Board reviewed the Consent Order.

**File Number
2006-04450
Star
Construction
Co Inc, t/a
Star
Construction
Co Inc**

Star Construction Co Inc, t/a Star Construction Co Inc acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.27 \$250.00. A total monetary penalty of \$250.00 is hereby imposed. In addition, for violation of Count 1, Star Construction Co Inc, t/a Star Construction Co Inc agrees to have a member of Responsible Management successfully complete remedial education by attending the Board's contracting licensing class and passing the examination within six (6) months of the effective date of the order. Star Construction Co Inc also agrees to pay \$150.00 in Board costs.

Upon a motion by Mr. Walton seconded by Mr. Kirby the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Kinser, Kirby, Walton, Cronin, Orange, Modisett, Miller, Smith, Tomlin and Wood. Redifer, Hart and Rackas-Pate were absent.

In the matter of Consent Order File Number 2006-04484, Board v. Troy J Childers, t/a T J Childers Roofing, the Board reviewed the Consent Order.

**File Number
2006-04484
Troy J
Childers, t/a
T J Childers
Roofing**

Troy J Childers, t/a T J Childers Roofing acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.2 \$500.00. A total monetary penalty of \$500.00 is hereby imposed. In addition, for violation of Count 1, Troy J Childers agrees to successfully complete remedial education by attending the Board's contracting licensing class and passing the examination within six (6) months of the effective date of this order. Troy J Childers, t/a T J Childers Roofing.

Upon a motion by Mr. Walton seconded by Mr. Kirby the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Kinser, Kirby, Walton, Cronin, Orange, Modisett, Smith, Miller, Tomlin and Wood. Redifer, Hart and Rackas-Pate were absent.

In the matter of Consent Order File Number 2006-04549, Board v. Troy J Childers, t/a T J Childers, the Board reviewed the Consent Order.

**File Number
2006-04549
Troy J
Childers, t/a
T J Childers**

Troy J Childers, t/a T J Childers acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.2 \$500.00. A total monetary penalty of \$500.00 is hereby imposed. In addition, for violation of Count 1, Troy J Childers agrees to have successfully complete remedial education by attending the Board's contracting license class and passing the examination within six (6) months of the effective date of this order.

Upon a motion by Mr. Walton seconded by Mr. Kirby the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Kinser, Kirby, Walton, Cronin, Orange, Modisett, Miller, Smith, Tomlin and Wood. Redifer, Hart and Rackas-Pate were absent.

In the matter of Consent Order File Number 2006-05344, Board v. Charles W West, t/a West & Sons Construction, the Board reviewed the Consent Order.

**File Number
2006-05344
Charles W
West, t/a
West & Sons
Construction**

Charles W West, t/a West & Sons Construction acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B 27 \$250.00. A total monetary penalty of

\$250.00 is hereby imposed. In addition, Charles W West agrees to successfully complete remedial education by attending the Board's contracting license class and passing the examination within six (6) months of the effective order. Charles W West also agrees to pay \$150.00 in Board costs.

Upon a motion by Mr. Walton seconded by Mr. Kirby the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Kirby, Walton, Cronin, Orange, Modisett, Miller, Smith, Tomlin and Wood. Redifer, Hart and Rackas-Pate were absent.**

Kevin Hoeft, Regulatory Boards Administrator, Board for Contractors reviewed and discussed The Committee Report with the Board. Mrs. Wood offered a motion seconded by Mr. Smith to approve the Class A and Class B Contractors license financial requirements change: raising the net worth or equity requirement to \$75,000 for a Class Contractor and to \$25,000 for a Class B Contractor. The motion passed unanimously. Members voting "yes" were: Kinser, Kirby, Orange, Cronin, Modisett, Tomlin, Smith Walton and Wood. Rackas Pate, Redifer and Hart were absent. This will be addressed during the next Regulatory Review Process.

**Other
Business**

Education Provider Applicants

After review and discussion, Mr. Kirby offered a motion seconded by Ms. Wood to unanimously approve Contractors Institute Inc.'s Pre-licensure and Remedial Education course revisions. The motion passed unanimously. Members voting "yes" were: **Kinser, Kirby, Orange, Cronin, Modisett, Tomlin, Smith Walton and Wood. Rackas Pate, Redifer and Hart were absent.**

Retroactive Approval of Prelicense Education Courses

After review and discussion, Ms. Wood offered a motion seconded by Mr. Kirby to allow staff to retroactively approve completed Prelicense Education course successfully completed within one year of making application for licensure with the Board. The motion passed unanimously. Members voting "yes" were: **Kinser, Kirby, Orange, Cronin, Modisett, Tomlin, Smith Walton and Wood. Rackas Pate, Redifer and Hart were absent.**

Reciprocity Update

Kevin Hoeft shared that Delaware is not interested at this time. Mike Bennett, Staff Attorney for the Kentucky licensing Board will talk more later concerning reciprocity for Master and Journeyman. Tennessee is very interested in reciprocity with Virginia for Electrical and Plumbing and will be contacting Kevin Hoeft at a later date to discuss further.

Industrial Electrical Work

After discussion, Mr. Orange offered a motion seconded by Ms. Tomlin to recognize as practical experience in the electrical trade, any industrial electrical work that is governed by the National Electrical Code. The motion passed unanimously. Members voting "yes" were: **Kinser, Kirby, Orange, Cronin, Modisett, Tomlin, Smith Walton and Wood.** **Rackas Pate, Redifer and Hart were absent.**

Trade Related Work

After discussion, a motion was offered by Mr. Kirby and seconded by Mr. Smith to affirm the Board's current policy which required that Residential Home Improvement Contractors (HIC) cannot perform trade-related work. Trade-related work must be done by a licensed tradesman or by a licensed contractor with the required trade classification. The motion passed unanimously. Members voting "yes" were: **Kinser, Kirby, Orange, Cronin, Modisett, Tomlin, Smith Walton and Wood.** **Rackas Pate, Redifer and Hart were absent.**

Warranty Information

Wanda Morris sent a letter for consideration of warranty information. After discussion, a motion was offered by Ms. Wood and seconded by Mr. Orange to require licensed contractors to identify warranty in their sales contracts; and link Board disciplinary actions to individuals and make all disciplinary action involving individuals available to the public on the Board's website to be considered during the next Regulatory Review period. The motion passed unanimously. Members voting "yes" were: **Kinser, Kirby, Orange, Cronin, Modisett, Tomlin, Smith Walton and Wood.** **Rackas Pate, Redifer and Hart were absent.**

New Committee Members

Ms. Wood offered a motion seconded by **Mr. Walton** to accept **Mr. Modisett** as **Mr. Falwell's** replacement and **Mr. Cronin** as **Mr. Hollar's** replacement as a member of "The Committee". The motion passed unanimously. Members voting "yes" were: **Kinser, Kirby, Orange, Cronin, Modisett, Tomlin, Smith Walton and Wood.** **Rackas Pate, Redifer and Hart were absent.**

Eric Olson, Executive Director, Board for Contractors talked with the Board members on Board Responsibilities, Economic Interest, COI, FOI, IFF's, Meeting, Minutes, and Disclosure. He further shared that all Board meetings are public except "closed session". The Board thanked Mr. Olson for sharing with them.

**New Board
Member
Training**

Educational Ingenuity Corporation

Mr. Wire, the representative of the company was present and addressed the Board. There was a question and answer period about the on line class proposal and the possible approval of such. Questions were entertained about security and verification. The company uses the Sprinkle ID system. A motion was made by Mr. Kirby, seconded by Ms. Wood to approve ACEI's on-line eight hour Pre-license and Remedial Education courses. The motion passed unanimously. Members voting "yes" were: **Kinser, Kirby, Orange, Cronin, Modisett, Tomlin, Smith Walton and Wood.** **Rackas Pate, Redifer and Hart** were absent.

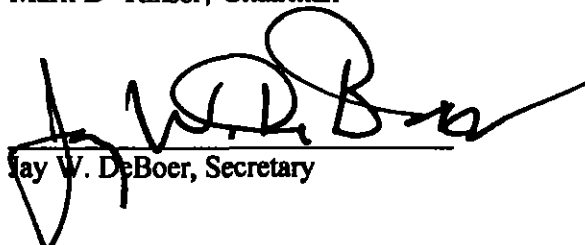
Provider
Course
Approval

Their being no further business to come before the board, the meeting was adjourned at 2:58 P.M. upon a motion by Ms. Wood and seconded by Mr. Miller. The vote was unanimous. Members voting yes were: The motion passed unanimously. Members voting "yes" were: **Kinser, Kirby, Orange, Cronin, Modisett, Tomlin, Smith Walton and Wood.** **Rackas Pate, Redifer and Hart** were absent.

Adjourn-
ment



Mark D. Kinser, Chairman



Jay W. DeBoer, Secretary

Copy teste:

Custodian of the Record

STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

1. Name: Jeffrey A Modisett
2. Title: Member - Board for Contractors
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: CONTRACTORS BOARD MEETING
5. Nature of Personal Interest Affected by Transaction:

None

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

Conquest, Monarch & Dunn, Inc., Associated

General Contractors of Va.

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Jeffrey A. Modisett

Signature

September 26, 2006

Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTEREST ACT**

1. Name: Jack Miller
2. Title: Member – Board for Contractors
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: CONTRACTORS BOARD MEETING
5. Nature of Personal Interest Affected by Transaction:

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.


Signature

September 26, 2006
Date

STATE AND LOCAL GOVERNMENT

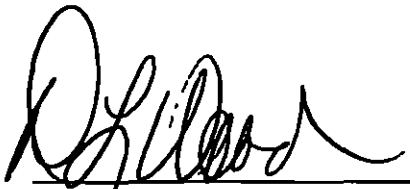
CONFLICT OF INTEREST ACT

1. Name: Dorothy Wood
2. Title: Member - Board for Contractors
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: CONTRACTORS BOARD MEETING
5. Nature of Personal Interest Affected by Transaction:

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.



Signature

September 26, 2006
Date

STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

1. Name: Anthony R. Orange
2. Title: Member - Board for Contractors
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: CONTRACTORS BOARD MEETING
5. Nature of Personal Interest Affected by Transaction:

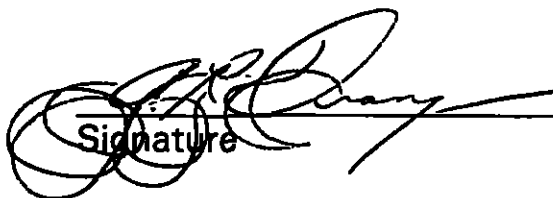
N/A

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I.B.E.W. L.U. 666

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.


Signature

September 26, 2006
Date

STATE AND LOCAL GOVERNMENT

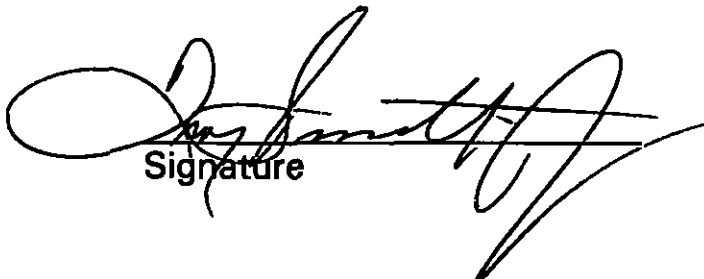
CONFLICT OF INTEREST ACT

1. Name: Troy Smith, Jr.
2. Title: Member - Board for Contractors
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: CONTRACTORS BOARD MEETING
5. Nature of Personal Interest Affected by Transaction:

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.


Signature

September 26, 2006
Date

STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

1. Name: Robert M. Kirby
2. Title: Member - Board for Contractors
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: CONTRACTORS BOARD MEETING
5. Nature of Personal Interest Affected by Transaction:

RES. DE KIRBY, INC
KIRBY & KIRBY ASSOC.

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

Asst. Sec. VA., Builders & Contractors
EXCH., PMPCA-VA

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Robert M. Kirby
Signature

September 26, 2006
Date

STATE AND LOCAL GOVERNMENT


CONFLICT OF INTEREST ACT

1. Name: **Mark D. Kinser**
2. Title: **Member - Board for Contractors**
3. Agency: **Department of Professional & Occupational Regulation**
4. Transaction: **CONTRACTORS BOARD MEETING**
5. Nature of Personal Interest Affected by Transaction:

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- ☒ (b) I am able to participate in this transaction fairly, objectively, and in the public interest.



Signature

September 26, 2006
Date

STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

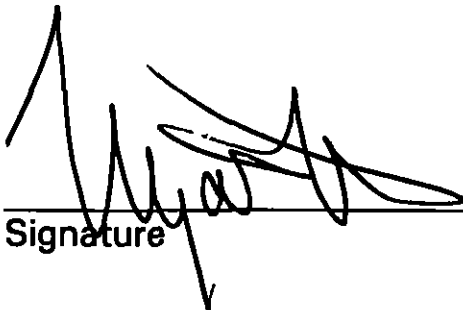
1. Name: Wyatt H Walton, III
2. Title: Member - Board for Contractors
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: CONTRACTORS BOARD MEETING
5. Nature of Personal Interest Affected by Transaction:

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

(b)

- I am able to participate in this transaction fairly, objectively, and in the public interest.



Signature

September 26, 2006
Date

STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

1. Name: Deborah Lynn Tomlin
2. Title: Member - Board for Contractors
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: CONTRACTORS BOARD MEETING
5. Nature of Personal Interest Affected by Transaction:

N/A

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Deborah Lynn Tomlin

Signature

September 26, 2006

Date

STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

1. Name: Mark Cronin
2. Title: Member - Board for Contractors
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: CONTRACTORS BOARD MEETING
5. Nature of Personal Interest Affected by Transaction:

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

NATL; DC-MECH. CONTRACTORS ASSOC.

NATL; DC - AM. SUB-CONTRACTORS ASSOC.

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Signature MARK P. CRONIN

September 26, 2006
Date